

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON TUESDAY THE THIRTY FIRST DAY
OF DECEMBER, IN THE YEAR OF OUR LORD, 1844, AND OF
THE COMMONWEALTH, THE FIFTY THIRD.

FRANKFORT, KENTUCKY,
A. G. HODGES::::STATE PRINTER.
1844.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

At a General Assembly begun and held for the Commonwealth of Kentucky, at the Capitol, in the town of Frankfort, on Tuesday, the 31st day of December, in the year of our Lord, 1844, and in the 53d year of the Commonwealth—on which day (being that designated by law) the following members of the House of Representatives appeared, viz:

- From the county of *Adair*—James O. Wheat.
- From the county of *Allen*—Joseph G. Anthony.
- From the county of *Anderson*—Robert W. Sea.
- From the county of *Boyle*—James S. Hopkins.
- From the county of *Bracken*—William C. Marshall.
- From the county of *Bullitt*—Henry F. Kalfus.
- From the county of *Bourbon*—Henry Parker and William Wright.
- From the county of *Barren*—Burwell Lawless and James G. Hardy.
- From the county of *Breckinridge*—Charles Hambleton.
- From the county of *Boone*—George W. Brasher.
- From the counties of *Breathitt* and *Morgan*—Joseph Carter.
- From the county of *Bath*—John C. Mason.
- From the counties of *Ballard* and *McCracken*—John H. Terrill.
- From the counties of *Butler* and *Edmonson*—Lott W. Moore.
- From the county of *Campbell*—Ira Root.
- From the county of *Caldwell*—James Clark.
- From the county of *Christian*—Daniel H. Harrison and Robert L. Waddill.
- From the county of *Clarke*—Allen H. Cox.
- From the counties of *Carroll* and *Gallatin*—Edmund A. Whitaker.
- From the county of *Casey*—Winston Bowman.

From the counties of *Cumberland* and *Clinton*—David R. Haggard.
From the counties of *Carter* and *Lawrence*—Walter Osburn.
From the county of *Crittenden*—William Hughes.
From the counties of *Calloway* and *Marshall*—Richard Nuckolls.
From the counties of *Clay*, *Letcher* and *Perry*—Theophilus T. Garrard.
From the county of *Daviess*—James L. Johnson.
From the counties of *Estill* and *Owsley*—William J. Clark.
From the county of *Franklin*—Charles S. Morehead.
From the county of *Fayette*—Robert S. Todd and Thomas A. Russell.
From the counties of *Floyd*, *Pike* and *Johnson*—Samuel K. Friend.
From the county of *Fleming*—Thomas Porter and Leonard Tully.
From the county of *Graves*—John Eaker.
From the county of *Greenup*—Jesse Corum.
From the county of *Grant*—William Hendrix.
From the county of *Garrard*—Gabriel J. Salter.
From the county of *Green*—Thomas R. Barnett and George W. Towles.
From the county of *Grayson*—William M. Gray.
From the county of *Hopkins*—William Bradley.
From the county of *Hickman*—Benjamin G. Dudley.
From the county of *Henderson*—John H. Stanley.
From the county of *Hardin*—Thomas D. Brown and James W. Hays.
From the county of *Hancock*—John Sterett.
From the county of *Henry*—Joseph Lecompte.
From the counties of *Knox* and *Harlan*—John Jones.
From the county of *Hart*—Benjamin Copelin.
From the county of *Harrison*—Lucius Desha and Joseph Shawhan.
From the county of *Jefferson*—Edward D. Hobbs and Daniel E. Jones.
From the city of *Louisville*—Charles M. Thruston and James S. Speed.
From the county of *Jessamine*—George S. Shanklin.
From the county of *Kenton*—Herman J. Groesbeck.
From the county of *Larue*—William Cessna.
From the counties of *Laurel* and *Rockcastle*—Evan Chesnut.
From the county of *Lincoln*—John L. Ballinger.
From the county of *Lewis*—Thomas Marshall.
From the county of *Logan*—George W. Ewing and John F. Todd.
From the county of *Livingston*—Francis H. Dallam.
From the county of *Muhlenburg*—Russell McRery.
From the county of *Madison*—Richard Runyon and Robert R. Harris.
From the county of *Montgomery*—Nelson Prewitt.
From the county of *Mercer*—Joseph Haskin.
From the county of *Marion*—Edmund A. Graves.
From the county of *Meade*—Benjamin W. Shacklett.

From the county of *Monroe*—Preston H. Leslie.
 From the county of *Mason*—Richard Collins and Francis T. Chambers.
 From the county of *Nelson*—Henry Gore and William R. Grigsby.
 From the county of *Owen*—Henry B. Gale.
 From the county of *Oldham*—Francis F. C. Triplett.
 From the county of *Ohio*—John W. Crow.
 From the county of *Pulaski*—John G. Lair.
 From the county of *Pendleton*—Henry W. Cleaveland.
 From the county of *Russell*—Shelby Stone.
 From the county of *Simpson*—Levi Dickey.
 From the county of *Shelby*—James Ford and Martin D. McHenry.
 From the county of *Scott*—Stephen F. Gano.
 From the county of *Spencer*—Stilwell Heady.
 From the county of *Trimble*—Robert B. Gray.
 From the county of *Todd*—Robert E. Glenn.
 From the county of *Trigg*—Charles Humphreys.
 From the county of *Union*—John Imboden.
 From the county of *Woodford*—David Thornton.
 From the county of *Wayne*—Littleton Beard.
 From the county of *Warren*—John Burnam.
 From the county of *Whitley*—James H. Early.

Who, constituting a quorum, and having severally taken the oaths prescribed by the Constitution of the United States, and Constitution and Laws of this State, repaired to their seats.

Mr. Harrison nominated Mr. Charles S. Morehead as a suitable person to fill the office of Speaker, and Mr. Mason nominated Mr. Joseph Haskin, and the vote being taken, it stood thus:

Those who voted for Mr. Morehead, are as follows:

Messrs. Ballinger,	Grigsby,	Prewitt,
Beard,	Haggard,	Runyon,
Bowman,	Hambleton,	Russell,
Brown,	Harris,	Salter,
Burnam,	Harrison,	Shacklett,
Chambers,	Hays,	Shanklin,
Chesnut,	Hobbs,	Speed,
Clark, W. J.	Hopkins,	Stanley,
Collins,	Johnson,	Stone,
Cox, A. H.	Jones, D. E.	Terrill,
Crow,	Jones, J.	Thornton,
Dallam,	Kalfus,	Thruston,
Dickey,	Lair,	Todd, J. F.
Early,	Lawless,	Todd, R. S.
Ewing,	Leslie,	Triplett,
Ford,	Marshall, W. C.	Tully,

Gano,	McHenry,	Waddill,
Glenn,	McRery,	Wheat,
Gore,	Osburn,	Whitaker,
Gray, R. B.	Parker,	Wright—62.
Gray, W. M.	Porter,	

Those who voted for Mr. Haskin, are as follows:

Messrs. Anthony,	Eaker,	Imboden,
Barnett,	Friend,	Lecompte,
Bradley,	Gale,	Marshall, T.
Brasher,	Garrard,	Mason,
Carter,	Graves,	Moore,
Cessna,	Groesbeck,	Nuckolls,
Clark, J.	Hardy,	Root,
Cleaveland,	Heady,	Shawhan,
Copelin,	Hendrix,	Sterett,
Corum,	Hughes,	Sea,
Desha,	Humphreys,	Towles—34.
Dudley,		

Mr. Morehead having received a majority of all the votes given, was declared duly elected Speaker, and conducted to the Chair; from whence he returned thanks for the honor conferred, and recommended the observance and preservation of good order and decorum.

Mr. Thomas J. Helm was unanimously elected Clerk, and Mr. Joseph Gray Sergeant-at-Arms.

Mr. Chambers nominated Mr. William R. Campbell as a suitable person to fill the office of Doorkeeper; Mr. Harrison nominated Mr. James Haggard, and Mr. Thruston nominated Mr. William T. Sharp; and the vote being taken it stood thus:

Those who voted for Mr. Campbell, are as follows:

Messrs. Brasher,	Gore,	Parker,
Brown,	Graves,	Porter,
Chambers,	Gray, R. B.	Prewitt,
Clark, J.	Grigsby,	Root,
Clark, W. J.	Groesbeck,	Shanklin,
Cleaveland,	Harris,	Shawhan,
Collins,	Haskin,	Speed,
Corum,	Heady,	Terrill,
Cox, A. H.	Hendrix,	Thornton,
Dallam,	Hobbs,	Thruston,
Desha,	Jones, D. E.	Towles,
Dickey,	Kalfus,	Triplett,
Ewing,	Lawless,	Tully,
Ford,	Lecompte,	Whitaker,
Gale,	Marshall, W. C.	Wright—47.
Gano,	McHenry,	

Those who voted for Mr. Haggard, are as follows:

Mr. Speaker,	Eaker,	Lair,
Messrs. Anthony,	Early,	Leslie,
Ballinger,	Glenn,	Marshall, T.
Barnett,	Gray, W. M.	Nuckolls,
Beard,	Haggard,	Osburn,
Bowman,	Hardy,	Runyon,
Burnam,	Harrison,	Salter,
Carter,	Hays,	Stone,
Cessna,	Hopkins,	Sea,
Chesnut,	Imboden,	Todd, J. F.
Copelin,	Jones, J.	Wheat--34.
Dudley,		

Those who voted for Mr. Sharp, are as follows:

Messrs. Bradley,	Humphreys,	Shacklett,
Crow,	Johnson,	Stanley,
Friend,	Mason,	Sterett,
Garrard,	McRery,	Todd, R. S.
Hambleton,	Moore,	Waddill--17.
Hughes,	Russell,	

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Campbell, are as follows:

Messrs. Brasher,	Gray, R. B.	Prewitt,
Brown,	Grigsby,	Root,
Chambers,	Groesbeck,	Russell,
Clark, W. J.	Harris,	Shanklin,
Cleaveland,	Haskin,	Shawhan,
Collins,	Heady,	Speed,
Corum,	Hobbs,	Terrill,
Cox, A. H.	Hughes,	Thornton,
Desha,	Jones, D. E.	Thruston,
Dickey,	Kalfus,	Todd, R. S.
Ewing,	Lawless,	Towles,
Ford,	Lecompte,	Triplett,
Gale,	Marshall, W. C.	Tully,
Gano,	McHenry,	Whitaker,
Gore,	Parker,	Wright--47.
Graves,	Porter,	

Those who voted for Mr. Haggard, are as follows:

Mr. Speaker,	Eaker,	Leslie,
Messrs. Anthony	Early,	Marshall, T.
Ballinger,	Glenn,	Mason,
Barnett,	Gray, W. M.	Nuckolls,
Beard,	Haggard,	Osburn,
Bowman,	Hardy,	Runyon,

Burnam,	Harrison,	Salter,
Carter,	Hays,	Stone,
Cessna,	Hendrix,	Sea,
Chesnut,	Hopkins,	Todd, J. F.
Clark, J.	Imboden,	Waddill,
Copelin,	Jones, J.	Wheat—38.
Dudley,	Lair,	

Those who voted for Mr. Sharp, are as follows:

Messrs. Bradley,	Hambleton,	Moore,
Crow,	Humphreys,	Shacklett,
Dallam,	Johnson,	Stanley,
Friend,	McRery,	Sterett—13.
Garrard,		

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Campbell, are as follows:

Messrs. Brasher,	Gray, R. B.	Moore,
Brown,	Grigsby,	Parker,
Chambers,	Groesbeck,	Porter,
Clark, W. J.	Hambleton,	Prewitt,
Cleaveland,	Harris,	Root,
Collins,	Haskin,	Russell,
Corum,	Heady,	Shanklin,
Cox, A. H.	Hobbs,	Shawhan,
Crow,	Hughes,	Speed,
Dallam,	Humphreys,	Terrill,
Desha,	Johnson,	Thornton,
Dickey,	Jones, D. E.	Thruston,
Ewing,	Kalfus,	Todd, R. S.
Ford,	Lawless,	Towles,
Gale,	Lecompte,	Triplett,
Gano,	Marshall, W. C.	Tully,
Gore,	McHenry,	Whitaker,
Graves,	McRery,	Wright—54.

Those who voted for Mr. Haggard, are as follows:

Mr. Speaker,	Early,	Leslie,
Messrs. Anthony,	Friend,	Marshall, T.
Ballinger,	Garrard,	Mason,
Barnett,	Glenn,	Nuckolls,
Beard,	Gray, W. M.	Osburn,
Bowman,	Haggard,	Runyon,
Bradley,	Hardy,	Salter,
Burnam,	Harrison,	Shacklett,
Carter,	Hays,	Stanley,
Cessna,	Hendrix,	Stone,
Chesnut,	Hopkins,	Sea,

Clark, J.	Imboden,	Todd, J. F.
Copelin,	Jones, J.	Waddill,
Dudley,	Lair,	Wheat—43.
Eaker,		

For Mr. Sharp—Mr. Sterett.

Mr. Campbell having received a majority of all the votes given, was declared duly elected Doorkeeper for the present session.

Mr. J. F. Todd moved the following resolution, viz:

Resolved, That this House now proceed to the election of an Assistant Clerk.

Mr. Hardy moved to amend said resolution by adding thereto the following, viz:

Whose compensation shall be five dollars per day, during the present session.

Mr. Mason moved to amend the amendment of Mr. Hardy, by the following, as a substitute therefore, viz:

Resolved, That the compensation for the Clerk of the House of Representatives, for the present session, be six dollars instead of ten dollars, as heretofore, and that of the Assistant Clerk be three dollars instead of five dollars, and that of the Doorkeeper be three dollars instead of four dollars.

Mr. R. S. Todd moved to lay said resolution and amendments on the table for the present.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and R. S. Todd, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gore,	Porter,
Messrs. Ballinger,	Grigsby,	Prewitt,
Chambers,	Haggard,	Runyon,
Chesnut,	Hambleton,	Russell,
Clark, J.	Harrison,	Shanklin,
Clark, W. J.	Hays,	Speed,
Collins,	Hobbs,	Stanley,
Corum,	Hopkins,	Thornton,
Cox, A. H.	Johnson,	Thruston,
Crow,	Jones, D. E.	Todd, R. S.
Dallam,	Kalfus,	Triplett,
Early,	Marshall, W. C.	Tally,
Ewing,	McHenry,	Waddill,
Ford,	McRery,	Whitaker,
Gale,	Parker,	Wright—46.
Gano,		

Those who voted in the negative, were—

Messrs. Anthony,	Glenn,	Leslie,
Barnett,	Graves,	Marshall, T.
Beard,	Gray, R. B.	Mason,
Bowman,	Gray, W. M.	Moore,
Bradley,	Groesbeck,	Nuckolls,
Brasher,	Hardy,	Osburn,
Brown,	Harris,	Root,
Burnam,	Haskin,	Salter,
Carter,	Heady,	Shacklett,
Cessna,	Hendrix,	Shawhan,
Cleaveland,	Hughes,	Sterett,
Copelin,	Humphreys,	Stone,
Desha,	Imboden,	Sea,
Dickey,	Jones, J.	Terrill,
Dudley,	Lair,	Todd, J. F.
Eaker,	Lawless,	Towles,
Friend,	Lecompte,	Wheat—52.
Garrard,		

Mr. Collins moved that the resolution and amendments be referred to a select committee of five.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. Marshall and Mason, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hambleton,	Porter,
Messrs. Ballinger,	Harrison,	Runyon,
Burnam,	Hays,	Russell,
Chambers,	Hendrix,	Shanklin,
Clark, W. J.	Hobbs,	Speed,
Collins,	Hopkins,	Sea,
Corum,	Hughes,	Terrill,
Cox, A. H.	Imboden,	Thornton,
Crow,	Jones, D. E.	Thruston,
Dallam,	Kalfus,	Todd, R. S.
Eaker,	Lawless,	Triplett,
Ewing,	Leslie,	Tully,
Ford,	Marshall, W. C.	Waddill,
Gano,	Nuckolls,	Whitaker,
Gore,	Parker,	Wright—46.
Grigsby,		

Those who voted in the negative, were—

Messrs. Anthony,	Gale,	Marshall, T.
Barnett,	Garrard,	Mason,
Beard,	Glenn,	McHenry,
Bowman,	Graves,	McRery,
Bradley,	Gray, R. B.	Moore,

Brasher,	Gray, W. M.	Osburn,
Brown,	Groesbeck,	Prewitt,
Carter,	Haggard,	Root,
Cessna,	Hardy,	Salter,
Chesnut,	Harris,	Shacklett,
Clark, J.	Haskin,	Shawhan,
Cleaveland,	Heady,	Stanley,
Copelin,	Humphreys,	Sterett,
Desha,	Johnson,	Stone,
Dickey,	Jones, J.	Todd, J. F.
Dudley,	Lair,	Towles,
Early,	Lecompte,	Wheat—52.
Friend,		

Mr. Ewing then moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. Marshall and Ma-
son, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker,	Gore,	Runyon,
Messrs. Brown,	Grigsby,	Russell,
Burnam,	Hambleton,	Shanklin,
Chambers,	Harrison,	Speed,
Chesnut,	Hays,	Sea,
Clark, W. J.	Hobbs,	Terrill,
Collins,	Hopkins,	Thornton,
Corum,	Jones, D. E.	Thruston,
Cox, A. H.	Kalfus,	Todd, R. S.
Crow,	Lawless,	Triplett,
Dallam,	Leslie,	Tully,
Ewing,	Marshall, W. C.	Waddill,
Ford,	Parker,	Whitaker,
Gano,	Porter,	Wright—42.

Those who voted in the negative, were—

Messrs. Anthony,	Garrard,	Marshall, T
Ballinger,	Glenn,	Mason,
Barnett,	Graves,	McHenry,
Beard,	Gray, R. B.	McRery,
Bowman,	Gray, W. M.	Moore,
Bradley,	Groesbeck,	Nuckolls,
Brasher,	Haggard,	Osburn,
Carter,	Hardy,	Prewitt,
Cessna,	Harris,	Root,
Clark, J.	Haskin,	Salter,
Cleaveland,	Heady,	Shacklett,
Copelin,	Hendrix,	Shawhan,
Desha,	Hughes,	Stanley,

Dickey,	Humphreys,	Sterett,
Dudley,	Imboden,	Stone,
Eaker,	Johnson,	Todd, J. F.
Early,	Jones, J.	Towles,
Friend,	Lair,	Wheat—56.
Gale,	Lecompte,	

Mr. Mason then modified his substitute to read as follows:

Resolved, That the compensation of the Clerk of the House of Representatives, for the present session, be eight dollars instead of ten, as heretofore; that of the Assistant Clerk four dollars instead of five dollars, and that of the Doorkeeper be three dollars instead of four.

The question was then taken on the adoption of said substitute, as modified, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Mason, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony	Garrard,	Marshall, W. C.
Ballinger,	Glenn,	Marshall, T.
Barnett,	Graves,	Mason,
Beard,	Gray, R. B.	McRery,
Bowman,	Gray, W. M.	Moore,
Bradley,	Groesbeck,	Nuckolls,
Brasher,	Haggard,	Osburn,
Brown,	Hambleton,	Parker,
Burnam,	Hardy,	Porter,
Carter,	Harris,	Prewitt,
Cessna,	Harrison,	Root,
Chesnut,	Haskin,	Runyon,
Clark, J.	Hays,	Salter,
Clark, W. J.	Heady,	Shacklett,
Cleaveland,	Hendrix,	Shawhan,
Copelin,	Hobbs,	Stanley,
Cox, A. H.	Hughes,	Sterett,
Dallam,	Humphreys,	Stone,
Desta,	Imboden,	Sea,
Dickey,	Johnson,	Terrill,
Dudley,	Jones, D. E.	Todd, J. F.
Eaker,	Jones, J.	Towles,
Early,	Lair,	Triplett,
Ford,	Lawless,	Tully,
Friend,	Lecompte,	Wheat,
Gale,	Leslie,	Whitaker—78.

Those who voted in the negative, were—

Mr. Speaker,	Gore,	Speed,
Messrs. Chambers,	Grigsby,	Thornton,
Collins,	Hopkins,	Thruston,

Corum,	Kalfus,	Todd, R. S.
Crow,	McHenry,	Waddill,
Ewing,	Shanklin,	Wright—19.
Gano,		

The question was then taken on the adoption of the resolution proposed by Mr. J. F. Todd, as amended, and decided in the affirmative.

A message was received from the Senate by Mr. Rodes:

Mr. Speaker: I am directed by the Senate to inform this House, that the Senate having met, formed a quorum, and elected their officers, are now ready to proceed to legislative business.

And then he withdrew.

A message was received from the Senate, by Mr. Harris, announcing that they had appointed a committee on their part, to act in conjunction with a committee on the part of this House, to wait on the Governor and inform him that they are now ready to receive such communication (by way of message) as he may think proper to make.

Whereupon, Messrs. Collins, Hardy and Thruston, were appointed a committee on the part of this House.

Ordered, That Mr. Collins inform the Senate thereof.

The said committee retired, and after a short time returned, when Mr. Collins, from the committee, reported that the joint committee had performed the duty assigned them, and were informed by the Governor that he would forthwith make a communication (by way of message) to both Houses of the General Assembly, in their respective chambers.

A message was receivd from the Governor, by Mr. Hardin, Secretary of State.

Mr. Speaker: I am directed by the Governor to lay before this House a message in writing.

The said message was then taken up and read as follows:

*Gentlemen of the Senate
and House of Representatives:*

Since the 14th of December, 1843, six per cent. State bonds for \$1,000 each, and payable thirty years after date, have been issued to the amount of three hundred and fifty six thousand dollars. One hundred and fifty one thousand thereof were given in exchange for six years bonds previously issued; one hundred and fifty one thousand were paid to Contractors of public works; fifty thousand were given in part payment of money borrowed from the Bank of Kentucky in 1840, by the Commissioners of the Sinking Fund; two thousand for the redemption of State scrip at the Northern Bank of Kentucky, and two thousand for repairs of the public works on the Kentucky river.

Whilst by these issues three hundred and fifty six thousand dollars have been added to the amount of six per cent. thirty years bonds which were

outstanding on the 14th December, 1843, the amount of six years bonds, outstanding at the same time, has been diminished one hundred and fifty one thousand dollars; so that the aggregate amount of bonds now against the State, exceeds the aggregate amount on the 14th of December, 1843, only two hundred and five thousand. Whilst this is an apparent, it is not, with the exception of a small amount expended on the Kentucky and Green river navigation, an actual increase of the public debt. The State was already resting under the liabilities which bonds have been issued to discharge, and the apparent increase of the public debt is nothing more than the result of the State's changing the form of her liabilities, and placing them in the process of final liquidation.

The present debt of the State, including as well bonds issued before the 14th of December, 1843, and not taken up in exchange, as bonds issued since that date, amounts to four million two hundred and sixty nine thousand five hundred dollars, (\$4,269,500,) and may be classified as follows:

5 per cent. bonds, payable 35 years after date,	- - -	\$165,000
5 per cent. bonds, payable 30 years after date,	- - -	450,000
6 per cent. bonds, payable 30 years after date,	- - -	3,396,000
6 per cent. bonds, payable 6 years after date,	- - -	129,000
6 per cent. bonds, (for repair of railroad,) payable 6 years after date,	- - - - -	99,000
Money borrowed from the Louisville Bank,	- - -	30,000
		<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
		\$4,269,000

For a full analysis of this debt, showing the laws under which it was created, I refer you to the statement of the Secretary of State which accompanies this communication.

The interest on this debt is chargeable to the Sinking Fund, payable half yearly, and amounts, annually, to two hundred and fifty thousand dollars. The interest, as it has hitherto accrued, has been met promptly; and I am exceedingly gratified to have it in my power to inform you that the resources of the Sinking Fund, unless affected by unforeseen results, will be sufficient to enable the Commissioners of that Fund to discharge, punctually, the accruing interest as it shall become payable in the coming year. But the credit of the State is a jewel too precious to have its lustre liable to be dimmed by the happening even of a contingency. There is, I am sure, no sentiment in which all parties in Kentucky more heartily unite, than that of maintaining the faith and credit of the State; and nothing would more likely bring upon Representatives the displeasure of their constituents than their neglect to provide whatever amount may be required to overcome contingencies, and meet, with promptitude, the demands against the State

whenever they become payable. As it is on the Sinking Fund we rely to pay the interest on our public debt, and preserve the credit of the State, and as an increased burden has been made chargeable to that fund, it is respectfully suggested to you, if it would not be proper to put under the control of the Commissioners of the Sinking Fund, the rent which has accrued and may hereafter accrue under the lease of the Lexington and Ohio Railroad. At present, the rent, as received, for the lack of authority to apply it to any purpose, is laid away in the vaults of the Bank for safe keeping. Placed under the control of the Commissioners, as much of it as necessary might be applied to the payment of interest on the debt which was incurred by the repairs of the road, and the residue to such other purposes as, in the discretion of the Commissioners, might be most proper. With the assistance of the rent of that road, I feel a perfect confidence that, under the most unfavorable circumstances, the interest chargeable to the Sinking Fund and payable in the coming year, may be promptly paid.

The Commonwealth is under other liabilities, the accruing interest on which is, however, not chargeable to the Sinking Fund, but payable out of the Public Treasury :

She is indebted to the Education Fund—

5 per cent. bonds,	- - - - -	\$850,000
6 per cent. bonds,	- - - - -	67,000

Total amount,	- - - - -	\$917,000
Interest on these bonds up to January, 1845, which remains unpaid,	- - - - -	198,430

Total, principal and interest,	- - - - -	\$1,115,430
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As guarantor, the Commonwealth is also bound for the payment of the principal and interest of bonds executed by the Lexington and Ohio Railroad Company, to the amount of one hundred and fifty thousand dollars.

The report of the Second Auditor, with which you will be furnished, contains a full statement of the revenue and resources of the Treasury ; and from that there can be no doubt as to the capacity of the Treasury to discharge all claims that may come against it, for the fiscal year ending the 10th of October, 1845. The receipts into the Treasury for the year ending the 10th of October, 1844, amounted to the sum of three hundred and ninety thousand one hundred and forty nine dollars, and forty nine cents, (\$390,149 49;) and the credits in favor of the Treasury for the same time, amounted to three hundred and forty nine thousand and thirty five dollars, and nineteen cents, (\$349,035 19;) which, deducted from the amount of receipts, left a balance in the Treasury on the 10th of October, 1844, of forty one thousand one hundred and fourteen dollars and thirty cents, (\$41,114 30.) The receipts for the year ending October the 10th, 1845, are estima-

ted to amount to the sum of three hundred and ninety two thousand four hundred and twenty two dollars and ninety eight cents, (\$392,422 98;) and the demands against the Treasury for the same time, are estimated to amount to the sum of three hundred and sixty six thousand three hundred and seventy nine dollars and fifty four cents, (\$366,379 54;) which deducted from the estimated receipts, leaves an estimated balance in the Treasury, on the 10th of October, 1845, of twenty six thousand and forty three dollars and thirty nine cents, (\$26,043 39.)

But, whilst we are assured of the capacity of the Treasury and the Sinking Fund to discharge the claims as they may accrue against each, we are admonished by the smallness of the surplus above the demands, to be guided in the exercise of our official functions, by principles of strict economy, and to guard, as far as may be, against any increase of the public debt. Instead of adding to the debt already contracted, we should be devising ways and means by which it may be diminished.

It is not my purpose to reflect upon those through whose instrumentality the present debt was created. They were doubtless influenced by the best of motives, and their labors have resulted in great benefit to the country. Eight hundred and ninety eight miles of roads which were formerly in many places difficult to pass, and in some seasons impassable, have been converted into graded and McAdamised highways, over which every class of carriages of burthen and of pleasure, pass with ease and convenience at all times; and streams which were formerly incapable of being navigated, except in times of flood, have been converted into rivers navigable at all times, three hundred and sixty three miles; and a railroad has been taken from a state of dilapidation and placed in a condition for commodious and dispatchful transportation of men and things between Frankfort and the city of Lexington. The beneficial effects of these improvements are felt by all; and many who, from apprehensions of its impracticability, were, at first, opposed to improving the river navigation, are now its most ardent advocates. I doubt not, public sentiment will, in time to come, force the extension of the river navigation, and I regret that the financial condition of the State forbids it being undertaken at present.

But how are the obstacles to the further improvement, wealth and aggrandizement of our State to be overcome? They would, I doubt not, have been overcome, and overcome too without increased taxation, if the contest through which the American people have recently passed, in the election of a President of the United States, had resulted differently. The administration of the General Government would then have been brought back and conducted on the principles adopted and acted upon by the Fathers of the Constitution, which regarded the government as a creation for the benefit of the people, and made the wants of the people the basis of all legislation. The people of the respective States would then have been brought to real-

ize their States' just proportion of the proceeds of the public domain—a result which, if earlier obtained, might have saved some of the States of this confederacy from the humiliation of bankruptcy, and the unblushing disgrace of repudiation. They would then have realized the beneficial effects of a National Currency of equal value throughout the Union, and at all times convertible into gold and silver. They would have enjoyed the assurance of the permanent settlement of the true American principle—the principle on which the Tariff of 1842 was enacted—the principle of protection to American labor and American interests. The influence of these salutary measures, wisely regulated and judiciously guarded, would not only have inspired confidence, and infused energy and enterprise throughout the community, but, with the assistance of wholesome legislation by the States, would have elevated the character and promoted the prosperity of the States. And whilst the people were relieved from their burdens, and educated and made happy; and the States delivered from their harrassing debts, the very policy achieving these benign results, would, of necessity, at the same time, have elevated, aggrandized and strengthened the confederacy. But the fortunes of the day were lost to the advocates of these efficacious measures. What is now to be expected? What are to be the consequences? Are the people to be deprived of the benefit of these salutary measures? Is the currency forever to remain local, vacillating and unsafe? Is the Tariff of '42 to be repealed, and the pursuits of American laborers declared unworthy of protection, and their interests crushed to make way for foreign interests and foreign labor? Are the States to be always kept out of their just share of the proceeds of the public domain, whilst their people are ground down by taxes, or learning to look with complacency on a voluntary and dishonest repudiation of their public debts? Are all these disastrous consequences to flow from the unhappy result of the recent struggle? We must hope not. If we believe the measures enumerated to be essential to the well-being of the country, it would be ignoble and unpatriotic to abandon their advocacy, or despair of their success. We ought to rely on the intrinsic merits of the principles we espouse, for if they contain *truth*, as we feel well assured, they must, sooner or later, triumph over all opposition, and become the settled policy of our country. Defeat should not make us despond, but rather inspire us with more unshaken determination; for what is our boasted love of principle and country, if we abandon both when most in danger? and what is our courage worth, if it fail us in time of trial? The opinion of the people of Kentucky on these subjects has been often expressed and cannot be misunderstood; but, under the present aspect of affairs, you will not fail to reiterate that expression in such manner as you may deem most appropriate and emphatic.

It is also worthy of mature consideration, whether something may not, and ought not to be done to guard more effectually the purity of elections. We should not be deluded with the fallacious notion held out by eulogists of our institutions, that because riot and blood-shed are absent at the polls, a candid and honest judgment is always obtained from the people. We must shut our eyes against the light of experience, and be altogether ignorant of what is passing around us, not to know that bribery, illegal voting, and other corrupt practices often pollute the elections of the country.—And if it be true, as there is, I fear, too much reason to believe, that success in elections to the highest offices have, on some occasions been produced through fraud practiced upon the law and the ballot box, how great the necessity, and how imposing the duty of law-makers to provide against the repetition of such heinous offences. Unless these frauds on the ballot box be checked—frauds made systematic by party tactics, and rendering omnipotent the party perpetrating them—enabling it to postpone the merits of the greatest Statesmen, and place in power partizans and men without merit; we shall soon be a bye-word and reproach among nations—and not without reason—for the respect of the people for their government must soon be destroyed by the evils we have enumerated, and that being gone, there is no other guaranty for the perpetuity of our institutions. I cannot, therefore, too earnestly urge upon you the propriety of giving this subject that consideration which its importance merits, and of enacting such laws as may guard effectually the purity of elections. The enactment of such laws is not only due to the people of this State, but is demanded by the obligations we are under to the people of each of the United States, all of whom are essentially interested in the elections of every State in the Union, for officers who are required by the Constitution of the United States to be elected by the voters of all the States. And may we not, in return, expect that each of the other States, under the influence of the same high obligations, will not fail to adopt measures equally effective in the preventing of corruption and preserving purity in their elections?

The condition of the Penitentiary claims your early attention. A few days only before I came into office the interior buildings of that Institution, except the cells, were consumed by fire. The fire broke out in the night, but whether caused by accident, neglect, or design, I am unable to communicate satisfactory information. The books and accounts of the Penitentiary were preserved without damage, but the loss in buildings, machinery, tools, manufactured articles, and raw materials, must be considerable, though difficult, if not impracticable to be correctly ascertained. In estimating the loss, some aid may possibly be derived from statements which I have caused to be made out by the Clerk of the Penitentiary, and which are herewith transmitted. In those statements the loss is estimated and presented in a double aspect—one is exhibited by the valuation made by Messrs.

Apperson and Bullock, of the stock, tools and machinery, which were received from the late Keeper of the Penitentiary; and the other is exhibited by the valuation of the same articles made by Messrs. Glover, Needham, Scott and others. According to the former estimate, the total loss (except buildings,) sustained by the Penitentiary, amounts to twenty two thousand three hundred and fifty five dollars and ninety seven cents, (\$22,355 97;) and according to the latter estimate the total loss, with the same exception, amounts to thirteen thousand nine hundred and eighty one dollars and eighty three cents, (\$13,981 83). Whether either of these estimates be correct will be for the wisdom of the Legislature to determine. But in connection with this subject it is proper to remark that there is an unsettled account between the Commonwealth and the late Keeper of the Penitentiary, the final adjustment of which materially depends upon what may be done by the Legislature in respect to those valuations. The valuation of Messrs. Apperson and Bullock was made under an appointment for that purpose by the Commissioners of the Sinking Fund, authorized by an act of the General Assembly, approved March 8th, 1843. The Commissioners were also by the same act, authorized to settle the account between the Commonwealth and the Keeper of the Penitentiary. But after the valuation was made by Messrs. Apperson and Bullock, and when the present Keepers were about receiving the possession of the Penitentiary, an objection was made by them to accepting the stock, tools and machinery, at the valuation of Apperson and Bullock; and a remonstrance to that effect was drawn up and presented by them. The present Keepers afterwards procured a valuation of the property to be made by Messrs. Glover, Needham, Scott, and others. The two valuations differ so widely that it was thought most proper by the Commissioners not to conclude the settlement with the late Keeper until the subject was brought before, and acted upon, by the Legislature.

The destruction of the buildings of the Penitentiary, seems never to have been contemplated by the Legislature, as there is no law to meet such an event. New buildings were indispensable, as well for the comfort of the inmates, as the management of the Institution. But there was no authority for any one to contract for the Commonwealth. The Legislature might have been convened, but not without cost equal, if not exceeding the cost of any building that could have been erected before the time for the regular session; and from the advanced season for building, nothing was likely to be gained in forwarding the buildings by a call of the Legislature. Under these circumstances, I was induced by what I believe to be the true interest of the Commonwealth, and the Institution, to advise the immediate commencement of new buildings. But the interest of the Commonwealth in the profits of the Penitentiary is placed by law under the control of the Commissioners of the Sinking Fund; and it was thought proper to obtain

their concurrence in whatever might be done. The Commissioners were consulted, and in their name, the Keepers of the Penitentiary were advised to erect new buildings, under certain limitations and provisions, the import of which is contained in a writing, approved and executed by the Keepers and their securities in their official bond: a copy of which writing is here-with transmitted. Under the advice so given, and in accordance thereto, a new building has been put up.

I trust that what has been done in respect to this matter will receive the approval of the Legislature. Care was taken to avoid doing anything that might, in any degree, embarrass the action of the Legislature. It was thought to be worthy of the mature deliberation of the Legislature whether some sort of restriction might not, advantageously to the community, be put upon the present unlimited power of the Keepers in the management of the Institution; whether it would not be beneficial to the industrial pursuits of the country to limit somewhat the mechanical operations in the Penitentiary, and confine the business mainly to manufacturing. With a view to this object, the dimensions of the new building have been made to differ, in some respects, from the former building, but may be applied to any purpose which, in its wisdom, the Legislature may direct.

The work was conducted by the Keepers, under the supervision and control of Messrs. Wingate and Stealey, who were appointed by me, as agents, for that purpose. The building is two stories high, forty feet wide, and two hundred and twenty feet long. The entire cost of the building, including materials and labor, is five thousand six hundred and sixty eight dollars and ninety five cents. An account containing the particular items of cost, has been made out and will be laid before you. Temporary workshops were also constructed at a cost, in materials and labor, estimated at eight hundred and seventy dollars and forty two cents.

Should a change in the management and business pursuits of the Penitentiary be deemed politic, the Keepers of the Penitentiary, I am sure, will raise no objections. In that, as in all other matters, the Keepers have displayed a becoming desire for the advancement of the public interest, and have indicated a willingness to submit to the untrammelled action of the Legislature. Under their obligations to the Commonwealth, the responsibility brought upon the Keepers by the destruction in the Penitentiary, is heavy, and if wholly exacted, their loss will be grievous. It will be for the Legislature, in view of all the circumstances, to take such action as in their judgment may be calculated to advance the interests of the Commonwealth and the Institution, and bring to a final adjustment the unsettled accounts and conflicting interests of the Commonwealth and the former and present Keepers of the Penitentiary, upon principles alike just and liberal to each.

In looking to the further extension of new buildings, it may not be unworthy of consideration whether the outward walls of the Penitentiary will

not, at no distant day, have to be enlarged so as to comprehend more space for the business of the Institution; and if so, whether provision ought not to be made for the procurement of additional ground for that purpose.

The report of the Keepers will afford more detailed information in regard to the condition of the Penitentiary, and you will be furnished with such papers and documents as are in my possession, and which may be useful in your deliberations.

The report of the Commissioners of the Sinking Fund will exhibit to you fully, the liabilities and resources of that fund, and present a statement of their transactions in the present year. A large amount of coupons which have been taken up, are now in the possession of the Commissioners, and they will become possessed of others as payment is made of the accruing interest on the State bonds. The coupons are on small slips of paper, and if, by accident or otherwise, they should come into the possession of others, the State might possibly be subjected to repayment. It is suggested, therefore, as prudent, to provide in some manner for the coupons to be copied into a book, or books, to be kept for that purpose, as they are received by the Commissioners, and then destroyed by burning before such persons as the Legislature may designate.

Information will be communicated to you by the Board of Internal Improvement in respect to all matters appertaining to their duties. The act of the last session of the Legislature, providing for the State's indebtedness to Contractors for work done, has been so far complied with, that it is believed by the Board, that not more than twenty thousand dollars remain to be paid.

It is gratifying to find, that the profits of the State, derived from works of public improvement, are increasing yearly; and the increased profits from the roads would, I am confident, have been greater, if those having the control thereof, were all brought to strict accountability. It will be discovered from a statement made out by the Auditor, and which is herewith transmitted, that an unreasonable and striking difference exists between the amount received by the State from the several roads. Whilst, to the credit of the managers of part of the roads, large sums have been paid by them into the Treasury, the managers of other roads have paid but little, and, in some instances, have paid nothing, and report nothing to be coming to the State. This difference may result, and doubtless has, in some cases, from causes not within the control of the managers; but I feel assured it has, in other cases, resulted from causes entirely inexcusable. The interest of the State as well as that of private stockholders, requires strict scrutiny into this matter, and calls for such amendments of the laws as may bring about better management of the roads, and impose more rigid accountability for the profits. The receipts into the Treasury from managers of roads for the fiscal year

ending October 13th, 1843, amounted to thirteen thousand five hundred and two dollars and ninety eight cents, (\$13,502 98,) and the receipts from the same source for the year ending Oct. 13th, 1844, amount to eighteen thousand eight hundred and five dollars and one cent, (\$18,805 01.) The receipts into the Treasury from the Kentucky river navigation for the fiscal year ending October 13th, 1843, amounted to three thousand nine hundred dollars, (\$3,900;) and the receipts from the same source for the year ending October 13th, 1844, amount to ten thousand eight hundred and sixty three dollars and forty five cents, (\$10,863 45.)

The lessees of the Railroad have paid, half yearly, the rent as it fell due under their lease, and will, I doubt not, pay, with equal punctuality, the accruing rent for the residue of their term. Each half yearly payment amounts to eight thousand five hundred dollars. The total amount which has been paid is twenty five thousand dollars. The lease commenced on the 14th day of March, 1843, and terminates on the 14th day of March, 1850.

The Green and Barren river navigation is placed by law under the superintendence of Commissioners appointed for that purpose, whose report may be expected to contain full information as to those works of improvement. I have received no official communication from the Commissioners, but have been informed that the foundation of the Lock on Barren river has given way, and that in repairing the breach, it may be necessary to rebuild the Lock. It is important that suitable provision be made to preserve that Lock from destruction. I am in possession of no information as to the amount of the profits from the navigation of the Green and Barren rivers for the present year, but the amount received into the Treasury from this source, for the fiscal year ending October 10th, 1843, was four thousand five hundred and fifteen dollars sixteen cents, (\$4,515 16.)

The Superintendent of Public Instruction will communicate to you full information in respect to the operations of the Common School system, and its present condition and prospects. It will give me great satisfaction to co-operate with the Legislature in any measure which may be devised to improve and bring into more useful and efficient operation the present or any other system of Common Schools. Great care should be observed not to encroach on the fund set apart for this purpose, nor suffer it to be taken or applied to any other object. The purpose of education to which that fund is already dedicated, addresses itself to the consideration of all who feel an interest in their own welfare, or in the welfare of their country, and deserves to be cherished by the most exalted patriotism.

The suit which was brought by the Bank of Kentucky against the Schuylkill Bank, to recover for the loss sustained by the fraud of the latter, is yet in progress and undetermined. But I am informed by the President of the Bank of Kentucky, that the cause is now prepared for trial, and it is ex-

pected to be determined at the coming spring term. The loss sustained by the commission of this fraud has compelled the Bank of Kentucky to lessen the dividends to stockholders, and operated seriously to the injury of the State and Sinking Fund, both of whom are stockholders.

It is believed, however, that through the well directed operations of the Bank, it will, at no distant period, have recovered from the loss, and be placed in a condition not longer to withhold from its stockholders any portion of the accruing profits. The ability of that Bank, as well as that of the Northern Bank of Kentucky, and the Louisville Bank to discharge all their liabilities, is unquestionable; and each and all of them, merit and justly deserve, the full confidence of the country. The loans which were made by the Banks under the act, approved March 8th, 1843, have, I am assured, been discharged with uncommon punctuality, and free from loss.

Being assembled from every part of the State, you must have a more intimate knowledge than I possess, of the wants and necessities of the people, and in discharging the trust with which you have been invested by them, you will not fail to entertain a proper regard for their welfare, and adopt such measures as may tend to advance their interest and promote their prosperity.

Entertaining for you, individually, feelings of high regard, I indulge the hope that all your deliberations may be conducted with entire harmony, and that it may be the pleasure of the Great Ruler of events—to whom we all should be profoundly grateful for his many distinguished blessings—so to guide and direct your labors, as that they may result in great benefits to the country.

WILLIAM OWSLEY.

DECEMBER 31, 1844.

A Statement showing the amount of the Public Debt of the State of Kentucky, to the 16th day of December, 1844.

Date of issuing Bonds.	Amount of each issue.	To whom issued and delivered.	Date of the law authorizing the issue.	Amount authorized to be issued under each act.	Amount issued under each act.	When reimbursable or payable.	Rate of interest.	Remarks.
May 25, 1835, August 1, 1835,	\$ 100,000 100,000	Bank of Kentucky, Prime, Ward, & King,	{ Feb. 28, 1835.	\$1,000,000	\$200,000	30 years,	5 per cent.	
April 25, 1836, June 1, 1836,	100,000 50,000	Northern Bank of Ky. Bank of Kentucky,	{ Feb. 29, 1836.	1,000,000	150,000	30 years,	5 per cent.	
April 1, 1837,	165,000	War Department,	{ Feb. 23, 1837, {	Limited by previous acts	{ 165,000	35 years,	5 per cent.	
July 1, 1838,	1,250,000	American Life Insurance and Trust Co.	{ Feb. 16, 1838,	1,250,000	1,250,000	30 years,	6 per cent.	
From 22d April, 1840, to 19th Feb. 1841,	{ 32,500	Contractors & others,	Feb. 22, 1839,	1,000,000	33,000	30 years,	6 per cent. (a)	{ \$500 redeemed in 1842.
Between 22d Apl. 1840, and 19th Feb. 1841,	{ 129,000	Public Contractors,	Feb. 21, 1840,	1,500,000		6 years,	6 per cent. (b)	{ \$480,500 of original issue redeemed.
November 4, 1840, November 4, 1840,	{ 235,000 180,000	Northern Bank Ky. Bank of Kentucky,	{ and		{ 1,303,000	30 years, 30 years,	6 per cent. (c) 6 per cent. (d)	
Between April 3, 1841, and January 3, 1842, inclusive,	{ 608,000	Public Contractors,	Feb. 18, 1841,	196,000		30 years,	6 per cent. (e)	
Between March 3, 1842, and December 23, inclusive,	{ 367,000	Public Contractors & in exchange for six year bonds,	March 3, 1842,	420,000	367,000	30 years,	6 per cent. (f)	
From 23d Dec. 1842, to 14th Dec. 1843, inclusive,	{ 368,000	Contractors, and in exchange for six year bonds,	{ March 3, 1842, and March 11, 1843,	{ For exch'ge for Int. Imp.	{ -	30 years,	6 per cent. (g)	{ \$10,000 of this issue was in payment of debt to Frankfort Branch Bank.
From March 3d, 1842, to 14th Dec. 1843,	{ 99,000	Repair of Railroad,	March 3, 1842,	99,000	99,000	6 years,	6 per cent. (h)	{ Issue to repair Lex. and Ohio Railroad.
Sept. 2d, 1843,	{ 100,000	Agent of State to sell,	March 8, 1843,	1,750,000	100,000	30 years,	5 per cent. (i)	

DEC. 31.]

HOUSE OF REPRESENTATIVES.

25

Sept. 2d, 1843,	{ 100,000	Agent of State to sell,	March 8, 1843,	1,750,000	100,000	30 years,	5 per cent. (v)	
From Dec. 14th, 1843, to Dec. 14th, 1844,	{ 356,000	Contractors, and in exchange for six year bonds,	{ March 3d, 1842, March 11th, 1843, & March 2d, 1844.	-	-	30 years,	6 per cent. (j)	{ \$50,000 in pay- ment of money borrowed for Int. Imp. from B'k Ky
	30,000	Bank of Louisville,	{ Act of Dec. 23, 1836, authoriz- ing the Board of Internal Imp. to borrow money.	-	-	temp. loan	6 per cent.	{ Borrowed by the Board of Interna- lal Improvem't
Total debt to 14th De- cember, 1844,	\$4,269,500							

NOTES TO THE ABOVE TABLE.

(a) This issue was originally \$33,000. In making an exchange for 6 year bonds in 1842, a bond of \$500 was included, which reduced the issued to \$32,500.

(b) This issue was \$609,500, of bonds of \$100 each, payable 6 years from date; the interest payable semi-annually, the 1st days of April and October in each year, at the State Treasury. \$480,500 of these bonds have been redeemed by issuing bonds of \$1,000 each, payable 30 years from date, the interest, 6 per cent., payable semi-annually in the city of New York, leaving outstanding \$129,000. The first of these bonds will fall due April 22, 1846.

(c)-(d) Issued to the Northern Bank of Kentucky and Bank of Kentucky for moneys borrowed by the Board of Internal Improvement and expended in the construction of the Public Works. They were received by the Banks at par, with a stipulation that if more were realized the surplus should be paid to the State.

(e) Issued to Public Contractors for work done on the Locks and Dams on the Rivers, and to Turnpike Road Companies in payment of the States' subscription of stock.

(f) These bonds were issued principally to Public Contractors. \$40,000 of them, however, were in redemption of \$39,500 of 6 years bonds, and a bond of \$500, payable in 30 years.

(g) The largest portion of this issue was for the redemption of the 6 years bonds which fall due in 1846 and 1847—\$10,000 of the amount were in payment of a debt created by the Board of Internal Improvement with the Frankfort Branch Bank. In the exchange of 30 years bonds for six years bonds, a premium of one per cent. has generally been charged in favor of the former.

(h) The late Secretary of State reports that \$7,000 of this issue have been paid by the lessees of the Railroad to the Board of Internal Improvement, in part for the first half year's rent of that road. These bonds will not be re-issued, and only 92,000 are in circulation.

(i) This issue was made under 22d section of act of 9th March, 1843, directing the issue of 5 per cent. bonds to purchase stocks in the Banks and delivered to J. Tilford, agent of the State, who sold them at 97 for each 100. Out of the proceeds 231 shares of stock in the Bank of Louisville were purchased; the remainder was deposited in the Bank of America, to the credit of the Commissioners of the Sinking Fund.—(See Gov. Letcher's message of 26th February 1844—H. R. Jour. of 1843-'4, page 468.

(j) A portion of this issue was made to Public Contractors, under the act of 2d March, 1844; the remainder in redemption of 6 years bonds, except \$50,000, which were in payment of a debt due the Bank of Kentucky, for money borrowed at different times by the Board of Internal Improvement.

Present amount of debt,	-	-	-	-	-	-	-	\$ 4,269,500
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OFFICE OF SECRETARY OF STATE,
December 16, 1844.

BEN. HARDIN, Secretary of State.

Statement showing the amount, &c., of State Bonds issued to the Board of Education and Commissioners of the Sinking Fund.

Date of issuing Bonds.	To whom issued and delivered.	Amount.	Date of law authorizing the issue.	When reimbursable or payable.	Rate interest.	Remarks.
1837, May 15,	Board of Education,	\$ 500,000				
1837, July 1,	Board of Education,	170,000	{ Act of Feb. 23d, 1837.	{ 35 years.	{ 5 per cent.	
1837, Oct. 1,	Board of Education,	180,000				
1837, Oct. 1,	Com'trs Sinking Fund,	20,000				
1839, Oct. 1,	Board of Education,	21,500				
1840, Jan. 1,	Board of Education,	22,000	{ February 23d, 1839.	{ 30 years.	{ 6 per cent.	
1840, July,	Board of Education,	24,000				
		\$ 937,000				

RECAPITULATION.

Amount of five percent. Bonds issued to Board of Education,	-	-	\$ 850,000
Amount of six per cent. Bonds issued to the same,	-	-	67,500
Total amount issued to the Board of Education,	-	-	\$ 917,500
Amount of six per cent. Bonds issued to the Commissioners of the Sinking Fund,	-	-	20,000
Aggregate amount issued to the Board of Education and Commissioners of the Sinking Fund,	-	-	\$ 937,500

BEN HARDIN, *Secretary of State.*

OFFICE OF THE SECRETARY OF STATE, December 16th, 1844.

DEC. 31.]

HOUSE OF REPRESENTATIVES.

27

[For other Documents accompanying the Governor's Message--see Legislative Documents.]

On motion of Mr. Chambers,

Ordered, That the Public Printer forthwith print 2,000 copies of said message for the use of the members of this House.

Mr. T. Marshall moved the following resolutions, viz:

Resolved, That William Tanner be permitted to occupy a seat within the bar of this House, to report the proceedings thereof for "The Yeoman."

Resolved, That Thomas B. Stevenson be permitted to occupy a seat within the bar of this House, as a reporter of the proceedings thereof for "The Commonwealth."

Which being twice read, was adopted.

Mr. Hays nominated Mr. John C. Herndon as a suitable person to fill the office of Assistant Clerk; Mr. J. F. Todd nominated Mr. Rice Maxey; Mr. Grigsby nominated Mr. Gabriel J. Johnson; Mr. Ballinger nominated Mr. John Wilson, and Mr. R. S. Todd nominated Mr. William R. Hervey.

Mr. Gano then moved the following resolution, viz:

Resolved, That after each ballot the candidate having the smallest number of votes shall be dropped.

Which was adopted.

And the vote being taken it stood thus:

Those who voted for Mr. Herndon, are as follows:

Mr. Speaker,	Graves,	McRery,
Messrs. Bradley,	Gray, R. B.	Nuckolls,
Brown,	Gray, W. M.	Osburn,
Carter,	Haskin,	Parker,
Cleaveland,	Hays,	Porter,
Corum,	Hendrix,	Root,
Dallam,	Hughes,	Shawhan,
Desha,	Humphreys,	Sterett,
Dickey,	Imboden,	Sea,
Eaker,	Jones, J.	Terrill,
Early,	Kalfus,	Thornton,
Ford,	Lecompte,	Tully,
Gale,	Marshall, W. C.	Whitaker,
Gore,	McHenry,	Wright—42.

Those who voted for Mr. Maxey, are as follows:

Messrs. Anthony,	Copelin,	Leslie,
Barnett,	Glenn,	Prewitt,
Beard,	Haggard,	Stone,
Bowman,	Hardy,	Todd, J. F.
Burnam,	Lair,	Towles,
Cessna,	Lawless,	Wheat—18.

Those who voted for Mr. Johnson, are as follows:

Messrs. Crow,	Hobbs,	Speed,
Dudley,	Johnson,	Stanley,
Grigsby,	Jones, D. E.	Thruston,
Hambleton,	Moore,	Triplett,
Harrison,	Shacklett,	Waddill—16.
Heady,		

Those who voted for Mr. Wilson, are as follows:

Messrs. Ballinger,	Friend,	Mason,
Brasher,	Garrard,	Runyon,
Chesnut,	Hopkins,	Salter—10.
Clark, J.		

Those who voted for Mr. Hervey, are as follows:

Messrs. Chambers,	Gano,	Russell,
Collins,	Groesbeck,	Shanklin,
Cox, A. H.	Marshall, T.	Todd, R. S.—10.
Ewing,		

Mr. J. F. Todd then withdrew the nomination of Mr. Rice Maxey.

Mr. Hopkins then nominated Mr. Micah T. Chrisman as a suitable person to fill the office of Assistant Clerk.

And the vote being taken between those on nomination it stood thus:

Those who voted for Mr. Herndon, are as follows:

Mr. Speaker,	Gore,	McHenry,
Messrs. Anthony,	Graves,	McRery.
Ballinger,	Gray, R. B.	Nuckolls,
Bradley,	Gray, W. M.	Osburn,
Brown,	Haskin,	Parker,
Burnam,	Hays,	Porter,
Carter,	Hendrix,	Runyon,
Cleaveland,	Hughes,	Sterett,
Corum,	Humphreys,	Sea,
Dallam,	Imboden,	Thornton,
Dickey,	Kalfus,	Tully,
Eaker,	Lawless,	Whitaker,
Ford,	Lecompte,	Wright—41.
Gale,	Marshall, W. C.	

Those who voted for Mr. Johnson, are as follows:

Messrs. Brasher,	Hambleton,	Shacklett,
Collins,	Hardy,	Shawhan,
Copelin,	Harrison,	Speed,
Crow,	Heady,	Stanley,
Desha,	Hobbs,	Thruston,
Dudley,	Johnson,	Triplett,
Ewing,	Jones, D. E.	Waddill—23.
Grigsby,	Moore,	

Those who voted for Mr. Hervey, are as follows:

Messrs. Chambers,	Prewitt,	Shanklin,
Cox, A. H.	Root,	Terrill,
Gano,	Russell,	Todd, R. S.—10.
Marshall, T.		

Those who voted for Mr. Chrisman, are as follows:

Messrs. Barnett,	Friend,	Lair,
Beard,	Garrard,	Leslie,
Bowman,	Glenn,	Salter,
Cessna,	Groesbeck,	Stone,
Chesnut,	Haggard,	Todd, J. F.
Clark, J.	Hopkins,	Towles,
Early,	Jones, J.	Wheat—21.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Herndon, are as follows;

Mr. Speaker,	Gore,	Nuckolls,
Messrs. Anthony,	Graves,	Osburn,
Ballinger,	Gray, R. B.	Parker,
Bradley,	Gray, W. M.	Porter,
Brown,	Haskin,	Prewitt,
Burnam,	Hays,	Root,
Carter,	Hendrix,	Runyon,
Clark, W. J.	Hughes,	Shanklin,
Cleaveland,	Humphreys,	Sterett,
Corum,	Imboden,	Sea,
Dallam,	Kalfus,	Terrill,
Dickey,	Lawless,	Thornton,
Eaker,	Lecompte,	Tully,
Ford,	Marshall, W. C.	Whitaker,
Gale,	McHenry,	Wright—47.
Gano,	McRery,	

Those who voted for Mr. Johnson, are as follows:

Messrs. Brasher,	Hardy,	Shacklett,
Collins,	Harrison,	Shawhan,
Copelin,	Heady,	Speed,
Crow,	Hobbs,	Stanley,
Desta,	Johnson,	Thruston.
Dudley,	Jones, D. E.	Todd, R. S.,
Ewing,	Moore,	Triplett,
Grigsby,	Russell,	Waddill—25.
Hambleton,		

Those who voted for Mr. Chrisman, are as follows:

Messrs. Barnett,	Early,	Lair,
Beard,	Friend,	Leslie,
Bowman,	Garrard,	Marshall, T.
Cessna,	Glenn,	Salter,
Chambers,	Groesbeck,	Stone,

Chesnut,	Haggard,	Todd, J. F.
Clark, J.	Hopkins,	Towles,
Cox, A. H.	Jones, J.	Wheat—24.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote between those remaining on nomination, and it stood thus:

Those who voted for Mr. Herndon, are as follows :

Mr. Speaker,	Gano,	Marshall, W. C.
Messrs. Anthony,	Garrard,	McHenry,
Ballinger,	Gore,	McRery,
Bowman,	Graves,	Nuckolls,
Bradley,	Gray, R. B.	Osburn,
Brown,	Gray, W. M.	Parker,
Burnam,	Harris,	Porter,
Carter,	Haskin,	Root,
Clark, W. J.	Hays,	Runyon,
Cleaveland,	Hendrix,	Shanklin,
Corum,	Hughes,	Sterett,
Cox, A. H.	Humphreys,	Sea,
Dallam,	Imboden,	Terrill,
Dickey,	Jones, J.	Thornton,
Eaker,	Kalfus,	Tully,
Early,	Lawless,	Whitaker,
Ford,	Lecompte,	Wright—52.
Gale,		

Those who voted for Mr. Johnson, are as follows :

Messrs. Barnett,	Grigsby,	Russell,
Beard,	Groesbeck,	Salter,
Brasher,	Haggard,	Shacklett,
Cessna,	Hambleton,	Shawhan,
Chambers,	Hardy,	Speed,
Chesnut,	Harrison,	Stanley,
Clark, J.	Heady,	Stone,
Collins,	Hobbs,	Thruston,
Copelin,	Hopkins,	Todd, J. F.
Crow,	Johnson,	Todd, R. S.
Desha,	Jones, D. E.	Towles,
Dudley,	Lair,	Triplett,
Ewing,	Leslie,	Waddill,
Friend,	Moore,	Wheat—44.
Glenn,	Prewitt,	

Mr. John C. Herndon having received a majority of all the votes given, was declared duly elected Assistant Clerk during the present session.

Mr. Hobbs moved the following resolution, viz :

Resolved, That the Speaker request the resident ministers, of the different denominations in Frankfort, alternately, to open the House with prayer, during the present session.

Which was adopted.

On motion of Mr. Hardy,

Ordered, That the rules of the last session be referred to a select committee of three, for their revision.

Whereupon, Messrs. Hardy, R. S. Todd and Chambers were appointed said committee.

And then the House adjourned.

C.

WEDNESDAY, JANUARY 1, 1845.

David Ballingal, the member returned to serve in this House from the county of Nicholas, appeared, produced a certificate of his election, and having taken the oaths prescribed by the Constitution and Laws of this State, took his seat.

The Speaker laid before the House the report of the Visiter of the Penitentiary, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

The Speaker laid before the House the annual report of the First Auditor of Public Accounts, which is as follows, viz:

AUDITOR'S OFFICE,
January 1st, 1845. }

SIR: Please lay before the House, over which you have the honor to preside, my annual report, for the fiscal year 1844, and oblige,

Yours, respectfully,

BEN. SELBY, JR. *Acting Auditor.*

To the Hon. CHARLES S. MOREHEAD,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Asssembly.

The Speaker laid before the House the annual report of the Second Auditor of Public Accounts, which is as follows, viz:

REVENUE DEPARTMENT,

AUDITOR'S OFFICE,

Frankfort, January 1, 1845.

SIR: I enclose the annual report from this department.

I am, sir, very respectfully,

THOS. S. PAGE, Second Auditor.

To the Hon. CHARLES S. MOREHEAD,
Speaker of the House of Representatives.

[For Report—see *Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Chambers, from the committee to whom was referred the rules of the last session for revision, made a report adopting the rules of the last session, with sundry amendments.

Which were concurred in.

Ordered, That the Public Printer forthwith print 150 copies of said rules, as amended, for the use of the members of the General Assembly.

On motion of Mr. Speed,

Resolved, That A. E. Drapier, a Stenographer, of Louisville, be permitted to sit within the bar of this House, as reporter for "The Daily Democrat," of that city.

1. Mr. Haskin presented the petition of John C. Wagoner and C. C. Gordon, praying the passage of a law enforcing a parol contract for the sale of certain real estate made by George Munday, deceased.

2. Mr. Garrard presented the petition of James Lewis and William Slusher, praying the passage of a law allowing them to erect a mill dam across the Middle Fork of the Kentucky river.

3. Also, the remonstrance of sundry citizens of Perry, Clay and Harlan counties, against the passage of a law authorizing James Lewis and William Slusher to erect a mill dam across the Middle Fork of the Kentucky river.

4. Also, the petition of sundry citizens of Perry county, praying a change in the place of voting in an election precinct in said county.

5. Mr. Barnett presented the petition of Sally B. Booker, praying to be divorced from her husband, Yelverton O. Booker.

6. Mr. J. Clark presented the petition of sundry citizens of Caldwell county, praying a division of said county, and the establishment of a new county.

7. Mr. Ewing presented the petition of Julia A. Keedy, praying the passage of a law allowing her to import into this State certain slaves, deeded in trust for her benefit.

S. Mr. Speed presented the petition of Eli Vansycles, of Louisville, praying the passage of a law changing the name of Martha Stewart Whitecot-ten to that of Martha Vansycles, and to enable her to inherit his estate.

9. Mr. Runyon presented the petition of sundry citizens of Madison coun-ty, praying the establishment of an election precinct in said county.

10. Also, the petition of the widow and heirs of Charles G. Jenkins, de-ceased, praying the passage of a law authorizing the sale of a part of the real estate of said deceased, for the payment of his debts.

11. Mr. Dudley presented the petition of sundry citizens of Hickman county, praying a division of said county, and the formation of a new county.

12. Mr. Kalfus presented the petition of Aquilla Hoskins, praying the passage of a law allowing him to erect a fish dam across the Rolling Fork of Salt river, in Bullitt county.

13. Mr. R. B. Gray presented the petition of Jeremiah Barkshire, pray-ing to be divorced from his wife, Catharine Barkshire.

14. Also, the petition of the Trustees of the Baptist Church called Friend-ship, in Trimble county, praying the passage of a law legalizing a sale of the lot of ground on which the church stands, made by Lewis Field.

Which petitions and remonstrance were severally received, the reading thereof dispensed with, and referred—the 1st, 7th, 10th and 14th to the com-mittee for Courts of Justice; the 2d, 3d and 12th to the committee on In-ternal Improvement; the 4th, 6th, 9th and 11th to the committee on Prop-ositions and Grievances; the 5th and 13th to the committee on Religion, and the 8th to Messrs. Speed, Ewing and Groesbeck.

Mr. Glenn read and laid on the table the following resolution:

Resolved by the General Assembly of Commonwealth of Kentucky, That a joint committee of two from the Senate, and four from the House of Rep-representatives, be appointed to examine Transylvania University and the Lunatic Asylum, at Lexington, and report the condition of each to this Gen-eral Assembly.

Resolved, That said committee have power (if they deem it necessary) to send for persons, papers and records.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had, on this day, approved and signed an enroll-ed bill which originated in this House, and which was laid before the Gov-ernor on the 1st day of March, 1844, entitled, an act defining the privi-leges of the President and Directors, &c., of turnpike roads.

Leave was given to bring in the following bills, viz:

On motion of Mr. Thruston—1. A bill to prevent the abduction of slaves.

On motion of Mr. Stone—2. A bill to repeal the 2d and 3d sections of an act, entitled, an act to amend the execution laws, approved March 10th, 1843.

On motion of Mr. Hobbs—3. A bill the better to define the limits of the city of Louisville, and for other purposes.

On motion of same—4. A bill to amend the Militia laws, and for other purposes.

On motion of same—5. A bill the better to protect the purity of elections.

On motion of Mr. Waddill—6. A bill to amend the law as to pleading partial payment to an action brought on any debt or demands, after the same may become due.

On motion of Mr. Runyon—7. A bill to incorporate the Richmond Female Institute.

On motion of Mr. Barnett—8. A bill for the benefit of William B. Carlisle and Archibald S. Lewis, Deputy Sheriffs for Samuel Faulkner, former Sheriff of Green county.

On motion of Mr. Sea—9. A bill to prevent fraud in the sale of salt.

On motion of Mr. Gano—10. A bill for the benefit of Mrs. S. M. Wilson, of Clay county, Missouri.

On motion of Mr. Osborn—11. A bill to reduce the price of the unappropriated lands in the counties of Carter and Lawrence.

On motion of Mr. Haskin—12. A bill to amend the law regulating proceedings in chancery.

On motion of Mr. Crow—13. A bill to amend the road law.

On motion of Mr. Leslie—14. A bill to amend the jury laws of this State.

On motion of Mr. Runyon—15. A bill to change the mode of taking depositions in all the courts in this Commonwealth.

On motion of Mr. Towles—16. A bill for the benefit of Beverly Robinson, of Green county.

On motion of Mr. Glenn—17. A bill for the benefit of the Methodist Episcopal Church, in Elkton, Todd county.

On motion of Mr. Cleaveland—18. A bill to authorize the building of a mill dam across Licking river.

On motion of Mr. Glenn—19. A bill to further protect the rights of females in this Commonwealth.

On motion of same—20. A bill for the benefit of Burnley D. Smith, of Todd county.

On motion of same—21. A bill for the benefit of Nathan Butler, of Todd county.

On motion of same—22. A bill for the benefit of Garland Chiles, of Todd county.

On motion of same—23. A bill for the benefit of Fleming H. Chiles, of Todd county.

On motion of Mr. Gale—24. A bill for the relief of the Sheriff of Owen county.

On motion of Mr. Salter—25. A bill to renew the charter for a turnpike road from Lancaster to the Crab Orchard.

On motion of Mr. Early—26. A bill to change an election precinct in Whitley county.

On motion of Mr. Speed—27. A bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10, 1843.

On motion of same—28. A bill to repeal the 11th section of an act, entitled, an act to add to the resources of the Sinking Fund, approved March 11th, 1844.

On motion of Mr. Chesnut—29. A bill to reduce the price of vacant lands in Laurel county.

On motion of Mr. Terrill—30. A bill to incorporate the town of Blandville, in Ballard county.

On motion of Mr. Stone—31. A bill for the benefit of Isham Baling and William P. Payne, of Russell county.

On motion of Mr. Speed—32. A bill to repeal the law exempting \$250 from execution or distress, in favor of the married man, and \$100 in favor of the single man.

On motion of Mr. Leslie—33. A bill to amend the laws of this Commonwealth, in relation to Pedlers.

On motion of Mr. Chambers—34. A bill to regulate the tolls on the Kentucky, Green and Barren river improvements.

On motion of Mr. Haggard—35. A bill for the incorporation of the town of Burksville, in Cumberland county.

On motion of Mr. Garrard—36. A bill to allow the Sheriff of Perry county further time to make out and return his delinquent list for the years 1843 and 1844.

On motion of Mr. Nuckolls—37. A bill to incorporate the town of Benton.

On motion of Mr. Friend—38. A bill for the benefit of Jane Garrett, and the heirs of Middleton Garrett, deceased, of Floyd county.

On motion of Mr. Stone—39. A bill regulating the duties of Surveyors in this Commonwealth.

Ordered, That Messrs. Thruston, R. S. Todd, Collins, W. C. Marshall, T. Marshall, Groesbeck, Porter and Chambers prepare and bring in the 1st; the committee for Courts of Justice the 2d, 6th, 10th, 12th, 13th, 15th, 17th, 20th, 21st, 22d, 23d, 38th and 39th; Messrs. Hobbs, D. E. Jones, Thruston and Speed the 3d; Messrs. Hobbs, Triplett, J. Clark and Speed the 4th. Messrs. Hobbs, McHenry and Groesbeck the 5th; Messrs. Runyon, W. J. Clark and Harris the 7th; the committee on Ways and Means the 8th, 24th

and 36th; Messrs. Sea, Thornton and Carter the 9th; Messrs. Osborn, T. Marshall and Carter the 11th; Messrs. Leslie, Lawless, Anthony, Beard and Haggard the 14th; the committee on Claims the 16th; the committee on Internal Improvement the 18th; Messrs. Glenn, Harrison and J. F. Todd the 19th; Messrs. Salter, Ballinger, Chesnut and Runyon the 25th; Messrs. Early, J. Jones and R. S. Todd the 26th; Messrs. Speed, D. E. Jones and Triplett the 27th; Messrs. Speed, Ewing and Groesbeck the 28th; Messrs. Chesnut, Salter and Runyon the 29th; Messrs. Terrell, Dudley and Eaker the 30th; Messrs. Stone, Wheat, Beard and Lair the 31st; Messrs. Speed, Ewing, Lawless and W. C. Marshall the 32d; Messrs. Leslie, Stone, Wheat, Hardy and Anthony the 33d; Messrs. Chambers, Collins, T. Marshall, Porter and Wright the 34th; Messrs. Haggard, Stone, Beard and Leslie the 35th; and Messrs. Nuckolls, Imboden and Garrard the 37th.

And then the House adjourned.

THURSDAY, JANUARY 2, 1845.

1. Mr. Imboden presented the petition of sundry citizens of Union, Caldwell, Crittenden and Hopkins counties, praying the establishment of a new county out of parts of those counties.
2. Mr. Hughes presented the remonstrance of sundry citizens of Crittenden county, against the establishment of a new county out of part of said county, and the counties of Union, Hopkins and Caldwell.
3. Mr. McRery presented the petition of sundry citizens of Muhlenburg, Daviess and Ohio counties, praying the establishment of a new county out of parts of said counties.
4. Mr. Ballinger presented the petition of John Reynolds, praying the remission of the balance of the State price upon a tract of land claimed by him.
5. Mr. Grigsby presented the petition of Ann M. Prewitt, praying the passage of a law changing her name to that of Ann M. Batts.
6. Mr. Crow presented the petition of Ishmael C. Sutton, praying the passage of a law authorizing the County Court of Ohio to make an order showing his appointment as Constable, such order having been omitted to be made as directed by the Court.
7. Mr. Bradley presented the petition of Bradford L. Porter, administrator of the estate of John Q. Thompson, deceased, praying the passage of a law authorizing a sale of the real estate of said deceased, for the purpose of paying his debts.

8. Mr. Graves presented the petition of sundry citizens of Marion county, praying the establishment of an election precinct in said county, at New Market.

9. Mr. Hardy presented the petition of Reuben Payne, praying the passage of a law allowing him a change of venue in a prosecution now pending against him in the Monroe Circuit Court, for passing counterfeit money.

10. Mr. Bradley presented the petition of John Hobgood, praying to be divorced from his wife, Rebecca Hobgood.

11. Also, the petition of Asa Smith, praying to be divorced from his wife, Elizabeth Smith.

12. Mr. Terrill presented the petition of Ann McElya, administratrix of John McElya, deceased, praying the passage of a law authorizing a sale of a part of the real estate of said deceased, for the payment of his debts.

13. Mr. Groesbeck presented the petition of Margaret McKenzie, praying to be divorced from her husband, Roderick McKenzie.

14. Mr. Dallam presented the petition of Jane Cox, praying to be divorced from her husband, James Cox.

15. Also, the petition of sundry citizens of Livingston county, praying the passage of a law allowing John Cunningham, a cripple, to vend goods, as a pedler, without license.

16. Mr. Stone presented the petition of Sarah R. Stapp, praying to be divorced from her husband, Sinclair Stapp.

17. Mr. Whitaker presented the petition of sundry citizens of Carroll county, praying that certain amendments may be made to the militia law.

18. Mr. Corum presented the petition of sundry citizens of Greenup county, praying the passage of a law allowing an additional Justice of the Peace to said county.

19. Mr. Dudley presented the petition of Job Hobbs, praying to be divorced from his wife, Mary D. Hobbs.

20. Mr. Hays presented the petition of Greenberry A. Gaither, praying a change of venue in the prosecution now pending against his slave Addison, for murder.

21. Mr. McRery presented the petition of the officers of the 129th Regiment of Kentucky Militia, praying an amendment to the Militia law.

22. Also, the petition of S. & S. F. Vaught, praying compensation for injuries done to their mill on Pond creek, by slackwater.

23. Mr. Gore presented the petition of Joseph Howard, praying the passage of a law allowing him to build a mill dam across the Rolling Fork of Salt river.

24. Mr. Ballinger presented the petition of Amelia M. Hamilton, praying that her name be changed to that of Amelia M. Caldwell.

25. Mr. Stone presented the petition of William Lucas, Sen., praying the passage of a law authorizing the County Court of Russell to grant him tavern license without paying the tax thereon.

Which were received, the reading thereof dispensed with, and referred—the 1st, 2d, 3d, 8, 18th and 25th to the committee on Propositions and Grievances; the 4th to Messrs. Ballinger, Salter and Hopkins; the 5th, 10th, 11th, 13th, 14th, 16th, 19th and 24th to the committee on Religion; the 6th, 7th, 9th, 12th and 20th to the committee for Courts of Justice; the 16th to the committee on Ways and Means; the 17th and 21st to the committee on Military Affairs, and the 22d and 23d to the committee on Internal Improvement.

The Speaker laid before the House the annual report of the Treasurer, which is as follows, viz:

STATE OF KENTUCKY,
Treasury Office, January 1, 1845. {

SIR: Accompanying this note, is my annual report, which you will please lay before the House over which you preside.

I am, very respectfully, your ob't serv't,
JAMES DAVIDSON, Treasurer.

To the Hon. CHARLES S. MOREHEAD,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Kalfus read and laid on the table the following preamble and resolutions, viz:

WHEREAS, from the present high and oppressive rates of postage on letters, newspapers and periodicals, &c., the benefits which were intended to be conferred on the citizens of these United States, by the mails, are in a great measure denied them, and literary and social intercourse trammeled and impeded. We believe it would promote the happiness of the people, and increase the revenue of the post office department if the present rates of postage were reduced—therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to use all proper means in their power to have such reduction made as shall be just and reasonable.

Resolved, That the Governor be requested to forward, to each of our Senators and Representatives in Congress, a copy of the foregoing resolution.

The rule of the House, and constitutional provision, requiring joint resolutions to lay one day on the table having been dispensed with, the said preamble and resolutions were twice read and adopted.

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Mr. Garrard moved the following resolution, viz:

Resolved, That the committee for Courts of Justice be instructed to enquire into the expediency of amending the law upon the subject of the conduct of slaves.

Which was adopted.

Mr. Lawless moved the following resolutions, viz:

Resolved, That the marriage contract is, by the laws of this State, regarded as a civil contract, and is properly the subject of adjudication by the judiciary, and not of the Legislature.

Resolved, That all petitions for divorces be referred to the committee for Courts of Justice, with instructions to report against the same, in every case where remedy may be obtained in the judicial tribunals of this Commonwealth.

Mr. Haskin moved the following as a substitute for the resolution of Mr. Lawless, viz:

Resolved, That the committee on Religion be instructed to report against all petitions for divorce in cases where the Circuit Courts have jurisdiction.

Mr. Lawless accepted of the substitute.

The question was then taken on the adoption of the resolution, and decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hardy—1. A bill relating to the books of the Surveyor of Barren county.

On motion of Mr. Root—2. A bill to amend an act, entitled, an act to amend the law establishing Common Schools in this Commonwealth.

On motion of Mr. Bowman—3. A bill to change the county line between Casey and Adair.

On motion of Mr. Eaker—4. A bill to allow the Sheriff of Graves county further time to make out and return his delinquent list.

On motion of same—5. A bill for the benefit of L. B. Stark.

On motion of same—6. A bill for the benefit of A. D. Matheny.

On motion of Mr. Corum—7. A bill for the benefit of William Hampton, of Greenup county.

On motion of same—8. A bill to amend the road law, in Greenup county.

On motion of same—9. A bill to incorporate a Turnpike Road Company in Greenup county.

On motion of Mr. Salter—10. A bill to prevent the emancipation of slaves, unless provision be made for such slave to leave the State.

On motion of Mr. D. E. Jones—11. A bill to direct the running and marking a part of the line between Bullitt and Jefferson counties.

On motion of same—12. A bill better to define the jurisdiction of Magistrates.

On motion of Mr. Speed—13. A bill to amend the law incorporating the Louisville Coal Company, approved March 2, 1844.

On motion of Mr. Ewing—14. A bill requiring the Judges of Circuit Courts to hold special terms for the trial of common law suits, where they have failed to hold Court at the regular term.

On motion of Mr. Prewitt—15. A bill for the benefit of Catlet G. Richard and E. A. Hathaway, of Mt. Sterling, Ky.

On motion of Mr. Shacklett—16. A bill to regulate the measurement of oats, corn, &c., by weight, per bushel.

On motion of Mr. Leslie—17. A bill to amend an act, entitled, an act to regulate the administration and settlement of estates, approved 20th February, 1839, and for other purposes.

On motion of Mr. Chambers—18. A bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10, 1843, which provides for the taxation of watches, buggies, spectacles, &c.

On the motion of same—19. A bill to protect the interests of mechanic against the deleterious effect of convict labor.

On motion of same—20. A bill to amend the road law of Mason county

On motion of Mr. Gore—21. A bill for the benefit of George W. Pottinger.

On motion of same—22. A bill for the benefit of Mary Sweets and others.

On motion of Mr. Gale—23. A bill for the benefit of the Sheriff of Owen county.

On motion of Mr. Cleaveland—24. A bill to change the mode of working the public roads in the county of Pendleton.

On motion of Mr. McHenry—25. A bill to revise and amend the several acts regulating chancery proceedings so as to facilitate the preparation and trial of suits in chancery.

On motion of Mr. Glenn—26. A bill for the benefit of James A. McReynolds, of Todd county.

On motion of Mr. Burnam—27. A bill for the benefit of the mechanics of the town of Bowlinggreen.

On motion of same—28. A bill for the benefit of Henry G., John, and Leander A. Mitchell, of Warren county.

On motion of Mr. Early—29. A bill to allow an additional Constable, also an additional Justice of the Peace to Whitley county.

On motion of Mr. R. B. Gray—30. A bill for the benefit of the Sheriff of Trimble county.

On motion of Mr. Groesbeck—31. A bill to require a list of the members of the Fire Engine and Hose Companies of the City of Covington, to be returned to the Clerk of Kenton county.

On motion of same—32. A bill to authorize the Kenton County Court to make certain alterations in the State road from Independence to the City of Covington.

On motion of Mr. Terrill—33. A bill for the benefit of the Sheriff of McCracken county, giving him further time to make his return.

Ordered, That Messrs. Hardy, Lawless and Burnam prepare and bring in the 1st; the committee on Education the 2d; Messrs. Bowman, Stone, Lair and Wheat the 3d; the committee on Ways and Means the 4th, 7th, 18th, 23d, 30th and 33d; Messrs. Eaker, Terrill and Nuckolls the 5th; Messrs. Eaker, Dudley and Imboden the 6th; Messrs. Corum, Friend and Osborn the 8th; Messrs. Corum, W. C. Marshall and Graves the 9th; Messrs. Salter, Runyon and Graves the 10th; Messrs. D. E. Jones, Kalfus and Hobbs the 11th; the committee for Courts of Justice the 12th, 14th, 17th, 21st, 25th and 26th; Messrs. Speed, Friend and D. E. Jones the 13th; Messrs. Prewitt, Russell and Terrill the 15th; Messrs. Shacklett, Hambleton, Bowman and Sterett the 16th; the Committee on the Penitentiary the 19th; Messrs. Chambers, Collins and Tully the 20th; Messrs. Gore, Grigsby and Heady the 22d; Messrs. Cleaveland, W. C. Marshall, Chambers and Root the 24th; Messrs. Burnam, J. F. Todd and Hardy the 27th; the committee on Internal Improvement the 28th and 32d; Messrs. Early, R. S. Todd and J. Jones the 29th, and Messrs. Groesbeck, Hobbs and Root the 31st.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Nuckolls—A bill to incorporate the town of Benton, and for other purposes.

By Mr. R. S. Todd—A bill to change the place of voting in an election precinct in Whitley county.

By Mr. Runyon—A bill to incorporate the Richmond Female Institute.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Speed, from the committee appointed to prepare and bring in the same, reported a bill to repeal the 11th section of an act, entitled, an act to add to the resources of the Sinking Fund, approved March 11, 1843—which was read the first time.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative, and so said bill was rejected.

On motion of Mr. Chambers,

Resolved, That H. B. Brown be permitted to take a seat within the bar of this House, to report its proceedings for "The Maysville Eagle."

Mr. Glenn read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That the committee on Education, in each House, be constituted a joint
committee to revise, amend and compile the Common School Laws of this
State.

The House took up the resolution read and laid on the table on yesterday,
by Mr. Glenn.

Resolved, That said resolution be concurred in.

The Speaker laid before the House the report of the President of "the
Kentucky and Louisville Mutual Insurance Company," which is as follows,
viz:

*Report of the condition, progress, and affairs of the Kentucky and Louis-
ville Mutual Insurance Company, up to the 2d of December, 1844, in-
clusive, viz:*

Amount insured, 390 Policies,	- - - - -	\$1,202,898 66
Amount of premium notes,	- - - - -	\$63,862 08 $\frac{1}{4}$
Deduct amount of premiums discharged by transfer of property and otherwise,	- - - - -	5,090 50
		<u><u>\$58,771 58$\frac{3}{4}$</u></u>
Amount received on premium notes,	- - - - -	10,977 61 $\frac{1}{2}$
Amount received for 390 Policies,	- - - - -	390 00
		<u><u>\$11,367 61$\frac{1}{2}$</u></u>
Paid this amount of expense account,	- - - - -	\$7,311 59 $\frac{1}{4}$
Paid this amount for losses,	- - - - -	3,089 73
Paid this amount for commission to Agents,	- - - - -	8 27
Due from W. D Mitchell, Agent,	- - - - -	21 00
Due from Isaac Landes, Agent,	- - - - -	7 00
Cash, balance,	- - - - -	930 02 $\frac{1}{4}$
		<u><u>\$11,367 61$\frac{1}{2}$</u></u>

BALANCES.

DEBITS.

To bills receivable,	- - - - -	\$48,187 64 $\frac{1}{4}$
To cash,	- - - - -	930 02 $\frac{1}{4}$
To profit and loss account,	- - - - -	3,089 73
To commission account,	- - - - -	8 27
To Isaac Landes, Agent,	- - - - -	7 00
To W. D. Mitchell, Agent,	- - - - -	21 00
To expense account,	- - - - -	7,311 59 $\frac{1}{4}$
		<u><u>\$59,555 26$\frac{3}{4}$</u></u>

CREDITS.

By premium account,	-	-	-	\$58,771 58 $\frac{1}{4}$
By extra premium account,	-	-	-	123 67 $\frac{1}{2}$
By premium on merchandize account,	-	-	-	270 00
By policy account,	-	-	-	390 00
				<hr/>
				\$59,555 26 $\frac{1}{4}$
				<hr/>

At a meeting of the President and Directors of "the Kentucky and Louisville Mutual Insurance Company," at their office in the city of Louisville, on the 4th day of December, 1844, "the President of the Company submitted to the Board a statement of the condition, progress, and affairs of this Company, which, after being read, examined, and approved by the Board, was adopted, and the President is directed to furnish a copy of the same to the General Assembly of this State, agreeably to the requisition of the 22d section of the charter of this Company."

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE CO. }
Louisville, December 24, 1844. }

SIR:

In obedience to the requisition of the 22d section of the charter of this Company, and the order of the Board, I herewith transmit to you the foregoing report of the condition, progress, and affairs of this Company, from the commencement of their business up to and including the 2d instant, and request that you will lay the same before the body over which you preside.

I have the honor to be,

Very respectfully, &c.,

WILLIS STEWART, President.

To the Hon. CHARLES S. MOREHEAD,
Speaker of the House of Representatives.

Mr. Chambers moved the following resolutions, viz:

1st. *Resolved*, That so much of the Governor's Message as refers to the State Debt and the means of increasing the resources of the Sinking Fund, be referred to the committee of Ways and Means.

2d. *Resolved*, That so much of the Message as refers to coupons, be referred to the committee on the Sinking Fund.

3d. *Resolved*, That so much of the Message as refers to the works of Internal Improvement, in the State, be referred to the committee on Internal Improvement.

4th. *Resolved*, That so much of the Message as refers to the affairs of the Penitentiary, be referred to the committee on the Penitentiary.

5th. *Resolved*, That so much of the Message as refers to the Banks of the State, be referred to the committee on Banks.

Which were adopted.

And then the House adjourned.

FRIDAY, JANUARY 3, 1845.

Leonard B. Cox, the member returned to serve in this House from the county of Washington, appeared, produced a certificate of his election, and having taken the oaths required by the Constitution and Laws of this State, took his seat.

Ordered, That a Committee on Propositions and Grievances be appointed: and a committee was appointed, consisting of Messrs. Grigsby, Sea, Russell, Barnett, Cleaveland, R. B. Gray and Haggard; who are to meet and adjourn from day to day, and take into consideration all Propositions and Grievances which may legally come before them, and all such matters as shall, from time to time, be referred to them, and report their proceedings to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee of Privileges and Elections be appointed: and a committee was appointed, consisting of Messrs. Sterett, Anthony, Chesnut, Cessna, Osburn, Shawhan and Hughes; who are to meet and adjourn from day to day, and take into consideration and examine all returns for members returned to serve in this House during the present session of the General Assembly; and all questions concerning Privileges and Elections, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on Claims be appointed: and a committee was appointed, consisting of Messrs. Collins, Gore, Gano, Desha, Thornton, Corum and Nuckolls; who are to meet and adjourn from day to day, and take into consideration all Public Claims, and all other matters that may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee for Courts of Justice be appointed: and a committee was appointed, consisting of Messrs. McHenry, Ewing, Haskin, Triplett, Hays, Shanklin and Runyon: who are to meet and adjourn from day to day, and take into consideration all matters relating to Courts of Justice, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee are to inspect the Journal of the last session, and draw up a statement of the matters there pending and undetermined, and the progress made therein; also, to examine what laws have expired since the last ses-

sion, and inspect such temporary laws as will expire with this, or are now expiring, and report the same to this House, with their opinion thereon, which of them ought to be renewed and continued; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on Religion be appointed: and a committee was appointed, consisting of Messrs. Hardy, Hopkins, A. H. Cox, Crow, W. J. Clark, Wright and Moore; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to religion and morality, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee of Ways and Means be appointed: and a committee was appointed, consisting of Messrs. R. S. Todd, Johnson, Parker, Terrill, Root, D. E. Jones and Dudley; who are to meet and adjourn from day to day, and take into consideration the revenue laws of this Commonwealth, and all other matters relative to, or connected with the fiscal concerns thereof, and such others as may be, from time to time, referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. J. F. Todd, Lawless, McRery, Garrard, Tully, Burnam, Salter, Friend, Brown, Whitaker, Hendrix and Ballingal; who are to meet and adjourn from day to day, and take into consideration all matters and things in relation to the improvement of the condition of the country by roads and canals, and such others as may legally come before them, or be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on Education be appointed: and a committee was appointed, consisting of Messrs. Haskin, J. Clark, Harris, Imboden, Gale, Prewitt and Stanley; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to Education, and the subjects immediately connected therewith, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Military Affairs be appointed: and a committee was appointed, consisting of Messrs. Heady, Copelin, Kalfus, Dickey, Bowman, Brasher and J. Jones; who are to meet and adjourn from day

to day, and take into consideration the militia laws of this Commonwealth, and all matters in relation to the militia, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on the Expenditures of the Board of Internal Improvement be appointed: and a committee was appointed, consisting of Messrs T. Marshall, Glenn, Hambleton, Humphreys, Lecompte, Shacklett and Early; who are to meet and adjourn from day to day, and take into consideration all matters in relation to the expenditure of money by the Board of Internal Improvement, and such others as may, from time to time, be referred to them, and report their proceedings thereon, with their opinion, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on the Penitentiary be appointed: and a committee was appointed, consisting of Messrs. Hobbs, Ballinger, Leslie, Speed, Porter, Bradley and J. Clark; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Penitentiary, and such others as may, from time to time, be referred to them, and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on Agriculture and Manufactures be appointed: and a committee was appointed, consisting of Messrs. Ford, Mason, Speed, Eaker, W. M. Gray and Towles; who are to meet and adjourn from day to day, and take into consideration all matters and things in relation to Agriculture and Manufactures, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on Banks be appointed: and a committee was appointed, consisting of Messrs. Chambers, W. C. Marshall, Groesbeck, Stone, Beard and Graves; who are to meet and adjourn from day to day, and examine, within the first thirty days of the session, the condition of all the Banks in the State, the amount of loans in the aggregate, and the proportion to the country, cities and towns, and the amount loaned to the directors, and their liabilities on bills of exchange; and the several amounts the fifty highest debtors owe in the cities; and enquire into, and report all facts necessary to a complete understanding of their management, and such other matters in relation thereto, as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on the Sinking Fund be appointed: and a committee was appointed, consisting of Messrs. Thruston, Leslie, Waddill, T. Marshall, L. B. Cox, Glenn and Brasher; who are to meet and adjourn from day to day, and take into consideration all matters in relation to the Sinking Fund, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on the Library be appointed: and a committee was appointed, consisting of Messrs. Waddill, Dallam, Gano, Desha and Gale; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the public Library, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on Public Offices be appointed: and a committee was appointed, consisting of Messrs. Porter, Harrison, Lair and Wheat; who are to meet and adjourn from day to day, and examine the public offices, and report their situation, and their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a Committee on Enrollments be appointed: and a committee was appointed, consisting of Messrs. Dallam, Lair, Hardy, Prewitt and Imboden.

Ordered, That Mr. Dallam inform the Senate thereof.

1. Mr. Speed presented the petition of Eliza Jane Roberts, praying to be divorced from her husband, Oscar Roberts.

2. Mr. Towles presented the petition of Stephen Atherton, praying a change of venue in a prosecution now pending against him, in the Larue Circuit Court, for perjury.

3. Mr. Friend presented the petition of sundry citizens of Pike county, praying the establishment of an election precinct in said county.

4. Mr. J. Jones presented the petition of Peggy Lewis, praying to be divorced from her husband, Garrett J. Lewis.

5. Mr. Early presented the petition of Samuel Hackler, praying that compensation be allowed him for apprehending a fugitive from justice.

6. Mr. Hays presented the petition of Lois Smallwood, praying that compensation be allowed her for taking care of a Lunatic.

7. Mr. Dickey presented the petition of sundry citizens of Logan county, praying to be added to the county of Simpson.

8. Mr. McRery presented the petition of Edmund Batsil, administrator of John Humphreys, deceased, praying the passage of a law authorizing a sale of the real estate of said deceased.

9. Also, the petition of John Vickers, praying permission to erect a fish dam across Pond river.

10. Mr. Eaker presented the petition of Edward Farrar, praying to be divorced from his wife, Martha Farrar.

11. Also the petition of sundry citizens of Calloway and Graves counties, praying the establishment of a State road from Canton, in Trigg county, to Mills' Point, in Hickman county.

12. Mr. Hobbs presented the petition of William Hart, praying the passage of a law authorizing him to vend goods, as a pedler, without license.

13. Mr. Leslie presented the petition of William H. Richardson, praying that he be released from the penalties incurred by importing into this State a slave.

Which were received, the readings thereof dispensed with, and referred—the 1st, 4th and 10th to the committee on Religion; the 2d, 8th and 13th to the committee for Courts of Justice; the 3d and 7th to the committee on Propositions and Grievances; the 5th and 6th to the committee on Claims; the 9th and 11th to the committee on Internal Improvement, and the 12th to the committee on Ways and Means.

The Speaker laid before the House the annual report of the Keepers of the Penitentiary, which is as follows, viz:

OFFICE OF THE KENTUCKY PENITENTIARY,
Frankfort, January 1, 1845. }

SIR:

Please lay before the house over which you preside, the enclosed annual report from this Institution.

Very respectfully,

Your obedient servants,

CRAIG & HENRY, A. & K. K. P.

Hon. CHARLES S. MOREHEAD,

Speaker House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

A communication was received from the Secretary of State, enclosing the petition of George Grace, praying the removal of Kain A. McCaughan, as Surveyor of Trigg county, and sundry documents accompanying the same.

Ordered, That said petition and documents be referred to Messrs. Humphreys, Nuckolls, Eaker and T. Marshall.

Mr. Thruston asked to be discharged from serving as chairman of the committee on the Sinking Fund.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Lawless,

Resolved, That Joseph Gray, Sergeant-at-Arms, be permitted to avail himself of the services of his son, James Gray, to assist him in the discharge of his official duties.

Mr. Speed read and laid on the table the following resolutions, viz:

Resolved by the General Assembly of Commonwealth of Kentucky, That the committee on Banks be excused from attending the examination of said Institutions, but that they be required, forthwith, to write to the proper officers of said Institutions, requiring them to make out reports touching the condition of said Institutions, and enclose the same to the chairmen of the committees.

Resolved, That it shall be the duty of said committees to propound to the officers of said Institutions any questions or interrogatories, touching the condition or management of the same; which questions and interrogatories the said officers shall be required to answer specifically, on oath.

Mr. Ewing read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the 10th day of February next, they adjourn *sine die*.

On motion of Mr. Triplett,

Resolved, That the committee for Courts of Justice be instructed to enquire into the expediency and most effective mode of revising and reducing into a regular code, the Statutes of Kentucky.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Sea—1. A bill to prevent fraud in the sale of salt.

By Mr. Osborn—2. A bill to reduce the price of vacant lands in Lawrence and Carter counties.

By Mr. Salter—3. A bill further to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

By Mr. Speed—4. A bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10, 1843.

By Mr. Groesbeck—5. A bill to require a list of the members of the Fire Engine and Hose Companies, of the City of Covington, to be reported to the Clerk.

By Mr. Chesnut—6. A bill to reduce the price of vacant lands in Laurel county.

By Mr. Leslie—7. A bill to amend the laws upon the subject of pedlers.

By Mr. Burnam—8. A bill for the benefit of mechanics and others of Bowlinggreen.

By Mr. Early—9. A bill to authorize the appointment of a Justice of the Peace and Constable in Whitley county, and for other purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of the 1st, 2d, 5th, 6th, 7th, 8th and 9th bills having been dispensed with, the 1st was referred to the committee on Agriculture and Manufactures; the 2d, 5th, 6th, 8th and 9th were severally ordered to be engrossed and read a third time, and the 7th was referred to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 2d, 5th, 6th, 8th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Sea—1. A bill for the benefit of Mary Ann Fugate.

On motion of Mr. Root—2. A bill to take the sense of the people of this Commonwealth, as to the necessity and expediency of calling a Convention to alter, revise and amend their Constitution.

On motion of Garrard—3. A bill allowing Frederick Nance to bring into this State two slaves without incurring the penalties of the law of 1833.

On motion of Mr. Friend—4. A bill to allow an additional Justice of the Peace in Johnson county.

On motion of Mr. Chesnut—5. A bill to regulate the management of the Wilderness Turnpike Road, in Laurel county, and for other purposes.

On motion of Mr. Cessna—6. A bill for the benefit of widows.

On motion of Mr. Chesnut—7. A bill to exempt the citizens of Laurel county from paying toll at the turnpike gate on the Madison Fork of the Wilderness road.

On motion of Mr. Prewitt—8. A bill to change the name of Fanny Beal to that of Fanny Gore, her maiden name, she having been divorced.

On motion of same—9. A bill to define the election precincts in Montgomery county, and for other purposes.

On motion of Mr. Leslie—10. A bill for the benefit of the Clerks of the Clinton County and Circuit Courts.

On motion of Mr. Triplett—11. A bill to incorporate the Lagrange and Westport Turnpike Road Company.

On motion of same—12. A bill to regulate the duties and compensation of Masters in Chancery.

On motion of Mr. Glenn—13. A bill to modify and change the law of 1833, prohibiting the importation of slaves.

On motion of Mr. Burnam—14. A bill to incorporate the Centre Point Meeting House, in Monroe county.

On motion of Mr. Early—15. A bill for the benefit of Gabriel L. Ballinger, of Whitley county.

Ordered, That Messrs. Sea, Burnam and Hardy prepare and bring in the 1st; the committee for Courts of Justice the 2d and 12th; Messrs. Gar-

ward, J. Jones, Friend and Salter the 3d; Messrs. Friend, Moore and Garrison the 4th; Messrs. Chesnut, Friend and Carter the 5th; Messrs. Cessna, Hays and Copelin the 6th; Messrs. Chesnut, Heady and Hopkins the 7th; Messrs. Prewitt, Hobbs and Leslie the 8th; Messrs. Prewitt, Harrison and J. F. Todd the 9th; Messrs. Leslie, Haggard, Beard and Stone the 10th; the committee on Internal Improvement the 11th; Messrs. Glenn, Harrison and Dickey the 13th; Messrs. Burnam, Leslie, Beard and Lair the 14th, and Messrs. Early, Lair, Stone and Beard the 15th.

A message was received from the Governor, by Mr. Hardin, Secretary of State, communicating sundry documents in relation to the Penitentiary.

[*For Message and Documents—see Legislative Documents.*]

Ordered, That said message and documents be referred to the committee on the Penitentiary.

The House then took up for consideration the resolution read and laid on the table on yesterday, by Mr. Glenn, in relation to the revision of the common school laws.

Resolved, That said resolution be concurred in.

And then the House adjourned.

SATURDAY, JANUARY 4, 1845.

1. Mr. Ewing presented the remonstrance of sundry citizens of Logan county, against adding a part of said county to the county of Simpson.
2. Mr. Root presented the petition of sundry citizens of the town of Newport, praying an extension of the limits of said town.
3. Mr. Hendrix presented the petition of Robert J. Flournoy, praying to be divorced from his wife, Louisa A. Flournoy.
4. Mr. Osborn presented the petition of sundry citizens of Carter county, praying the passage of a law for the improvement of the State road passing through said county and the county of Fleming.

Which remonstrance and petitions were severally received, the reading thereof dispensed with, and referred—the 1st and 2d to the committee on Propositions and Grievances; the 3d to the committee on Religion, and the 4th to the committee on Internal Improvement.

The Speaker by, and with the consent of the House, appointed Mr. Thruston chairman of the committee for Courts of Justice, and Mr. McHenry chairman of the committee on the Sinking Fund.

The Speaker laid before the House the annual report of the President of the Bank of the Commonwealth, which is as follows, viz:

COMMONWEALTH'S BANK OFFICE,

January 3, 1845.

SIR:

Within the year ending the 1st of the present month, I have collected of debts and claims due the Commonwealth's Bank, \$7,601 28 cents, and which sum has been applied as follows: paid to the Sinking Fund Commissioners, \$6,152 52 cents; paid fee bills and incidental costs, \$455 56 cents; paid President's salary, \$500; for the redemption of Bank notes in circulation, \$136 50: cash on hand, \$356 70 cents.

The Commissioners of the Sinking Fund may anticipate the further sum of \$10,000, as payable from this Institution. Its real estate may be estimated at \$2,000; the Turnpike stock at \$400. There are notes in circulation and unredeemed, \$1,249 04 cents.

The entire estimated loss from 1821, to the present time, caused by bad debts, bad management, swindling, and other causes, is about \$200,000, and the profit and advantage to the State, and many of her indigent and unfortunate citizens, during the same period of time, greatly exceeds that loss.

For the last five years the management of the Institution has been confided to me. During that time, large sums of money have been received and disbursed. I have tried to act honestly and faithfully, and at the same time manifest liberal indulgence to the unfortunate poor, and honest debtors of the Bank; no examination of my acts and doings has yet been made by the Legislature, and as I feel confident the business of the Bank, at the end of the present year, will be in such condition as to dispense with my humble services, I deem it justice to myself, to ask an examination of my accounts, at such time and in such manner as the Legislature may deem right and proper.

On the 10th day of this month the charter of the Bank will expire. I deem it important to the best interests of the State that it should be renewed, at least for one year.

All of which matters are respectfully reported to the General Assembly.
With great respect,

O. G. CATES, *President.*

Hon. CHARLES S. MOREHEAD,

Speaker House of Representatives.

Ordered, That said report be referred to the committee on the Sinking Fund.

On motion of Mr. Humphreys,

Ordered, That he be discharged from serving on the committee upon the petition of George Grace, praying for the removal from office of Kain A. McCaughan, Surveyor of Trigg county.

Ordered, That Messrs. Hays and J. Clark be added to said committee.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hopkins—1. A bill to amend the mortgage laws.

On motion of Mr. Lawless—2. A bill to exempt flat boats from paying toll at the Locks on Green and Barren river which start from points above the influence of slackwater.

On motion of same—3. A bill to amend the execution laws, and for other purposes.

On motion of Mr. Carter—4. A bill to abolish the Blackwater election precinct, in Morgan county.

On motion of Mr. Haggard—5. A bill to abolish an election precinct in Clinton county.

On motion of Mr. Corum—6. A bill for the benefit of common schools in the county of Greenup.

On motion of Mr. Bradley—7. A bill to establish an election precinct in Hopkins county.

On motion of Sterett—8. A bill to amend an act, entitled, an act to amend the law relating to pedlers, and for other purposes, approved February 15, 1842.

On motion of Mr. Ballinger—9. A bill for the benefit of John, a slave.

On motion of Mr. Brown—10. A bill making an appropriation for the completion of the Louisville and Elizabethtown Turnpike Road, from Elizabethtown to West Point, on the Ohio river.

On motion of Mr. Ewing—11. A bill to repeal the law dispensing with seals to deeds, mortgages, &c.

On motion of same—12. A bill authorizing the Trustees of the town of Russellville to grant licenses to persons to retail spirits in said town.

On motion of Mr. Leslie—13. A bill to incorporate the Trustees of the Tompkinsville Old School Presbyterian Church, in Monroe county, and for other purposes.

On motion of same—14. A bill for the benefit of William Butler, of Monroe county.

On motion of Mr. Ballinger—15. A bill to define the precincts in Nicholas county.

On motion of Mr. Gore—16. A bill for the benefit of the mechanics of Bardstown and Nelson county.

On motion of Mr. Stone—17. A bill for the benefit of Austin D. Tatum.

On motion of Mr. Dickey—18. A bill for the benefit of securities.

On motion of Mr. Gano—19. A bill to change a road in Scott county.

On motion of Mr. Beard—20. A bill to repeal an act approved 22d February, 1837, which provides for the reduction and limitation to the number ten of the Justices of the Peace for the county of Wayne, and to allow an additional Justice to said county.

On motion of Mr. J. Jones—21. A bill to change the place of voting in one of the precincts in Harlan county.

On motion of Mr. Hobbs—22. A bill to regulate the voting in the precincts of Jefferson county.

Ordered, That Messrs. Hopkins, Ballinger and Runyon prepare and bring in the 1st; Messrs. Lawless, Leslie, Prewitt and Hardy the 2d; Messrs.

Lawless, Dickey, Hobbs and J. F. Todd the 3d; the committee on Propositions and Grievances the 4th, 5th and 19th; the committee on Education the 6th; the committee on Privileges and Elections the 7th and 15th; Messrs. Sterett, Thruston, Johnson and Eaker the 8th; the committee on Claims the 9th; the committee on Internal Improvement the 10th; the committee for Courts of Justice the 11th, 17th and 18th; Messrs. Ewing, Lawless and Chambers the 12th; Messrs. Leslie, Lawless, Prewitt and Hardy the 13th; Messrs. Leslie, Prewitt and Lawless the 14th; Messrs. Gore, Grigsby and McHenry the 16th; Messrs. Beard, Lair and Stone the 20th; Messrs. J. Jones, R. S. Todd and Early the 21st, and Messrs. Hobbs, D. E. Jones and Groesbeck the 22d.

Mr. Garrard asked leave to bring in a bill allowing a compensation for wild cat scalps, caught and killed in this State, and for other purposes.

And the question being taken on granting the leave, it was decided in the negative.

On motion of Mr. Ballingal,

Resolved, That so much of the Governor's Message as relates to frauds in elections, be referred to the committee on Privileges and Elections.

Mr. Chesnut, from the committee appointed to prepare and bring in the same, reported a bill to permit the citizens of Laurel county to pass through the turnpike gate on the Madison Fork of said road, free of toll—which was read the first time.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative, and so said bill was rejected.

A message was received from the Senate announcing the adoption of resolutions to appoint a joint committee to examine Transylvania University and the Lunatic Asylum.

The said resolutions were taken up, twice read, and concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Sea—1. A bill for the benefit of Mary Ann Fugate.

By Mr. Bowman—2. A bill to amend an act, entitled, an act to add a part of Adair county to Casey county.

By Mr. Friend—3. A bill to allow an additional Justice of the Peace to Johnson county.

By Mr. Corum—4. A bill allowing an additional Justice of the Peace to Greenup county.

By Mr. Speed—5. A bill to change the name of Martha Stewart White-cotton.

By same—6. A bill to amend the act incorporating the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.

By Mr. Chesnut—7. A bill to amend an act, entitled, an act to regulate the management of the Wilderness road, and for other purposes, approved March 2, 1844.

By Mr. Ballinger—8. A bill for the benefit of John Reynolds.

By Mr. Burnam—9. A bill to incorporate the Trustees of the Centre Point Meeting House, in Monroe county.

By Mr. Leslie—10. A bill for the benefit of the Clerks of the Clinton Circuit and County Courts.

By Mr. Glenn—11. A bill further to protect the rights of females in this Commonwealth.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th and 9th were severally ordered to be engrossed and read a third time; the 6th, 7th, 10th and 11th were referred to the committee for Courts of Justice, and the 8th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles, viz:

1. A bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10, 1843.

2. A bill further to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

Were read the second time.

Ordered, That the 1st be referred to the committee on Ways and Means, and the 2d to the committee on Internal Improvement.

The House then took up the resolutions read and laid on the table on yesterday, by Mr. Speed.

Mr. Ewing moved to lay said resolutions on the table for the present.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garrard and Stone, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony	Early,	Johnson,
Barnett,	Ewing,	Jones, D. E.
Beard,	Ford,	Jones, J.
Bowman,	Gale,	Kalfus,
Bradley,	Gano,	Lair,
Brown,	Glenn,	Lawless,
Burnam,	Gore,	Marshall, W. C.

Carter,	Graves,	Mason,
Cessna,	Gray, R. B.	McRery,
Chambers,	Grigsby,	Nuckolls,
Clark, J.	Groesbeck,	Osburn,
Clark, W. J	Haggard,	Prewitt,
Cleaveland,	Hardy,	Runyon,
Copelin,	Harris,	Shacklett,
Corum,	Harrison,	Shawhan,
Cox, L. B.	Haskin,	Stanley,
Crow,	Hendrix,	Sterett,
Dallam,	Hobbs,	Stone,
Desha,	Hopkins,	Thornton,
Dickey,	Hughes,	Waddill,
Dudley,	Humphreys,	Wheat,
Eaker,	Imboden,	Whitaker—66.

Those who voted in the negative, were—

Messrs. Ballingal,	Hays,	Salter,
Ballinger,	Heady,	Shanklin,
Brasher,	Leslie,	Speed,
Chesnut,	Marshall, T.	Sea,
Collins,	McHenry,	Terrill,
Cox, A. H.	Moore,	Todd, J. F.
Friend,	Parker,	Todd, R. S.
Garrard,	Porter,	Tully,
Gray, W. M.	Root,	Wright—29.
Hambleton,	Russell,	

The House then took up the resolution read and laid on the table on yesterday, by Mr. Ewing, fixing a day for the final adjournment of the General Assembly.

Mr. Graves moved to amend said resolution by striking out the word "10th" and inserting the word "1st."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the resolution, as amended, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chambers and R. S. Todd, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Gale,	Leslie,
Ballingal,	Gano,	Marshall, W. C.
Ballinger,	Garrard,	Mason,
Barnett,	Glenn,	Moore,
Beard,	Gore,	Nuckolls,
Bowman,	Graves,	Osburn,
Bradley,	Gray, R. B.	Parker,
Brasher,	Gray, W. M.	Porter,

Brown,	Grigsby,	Prewitt,
Burnam,	Haggard,	Root,
Carter,	Hambleton,	Runyon,
Cessna,	Hardy,	Russell,
Chambers,	Harris,	Salter,
Chesnut,	Harrison,	Shacklett,
Clark, W. J.	Haskin,	Shanklin,
Cleaveland,	Hays,	Shawhan,
Copelin,	Heady,	Stanley,
Cox, A. H.	Hendrix,	Sterett,
Crow,	Hobbs,	Stone,
Dallam,	Hopkins,	Sea,
Desha,	Hughes,	Terrill,
Dickey,	Johnson,	Todd, J. F.
Dudley,	Jones, D. E.	Todd, R. S.
Early,	Jones, J.	Waddill,
Ewing,	Kalfus,	Wheat,
Ford,	Lair,	Whitaker,
Friend,	Lawless,	Wright--81.

Those who voted in the negative, were--

Mr. Speaker,	Eaker,	McHenry,
Messrs. Clark, J.	Groesbeck,	McRery,
Collins,	Humphreys,	Speed,
Corum,	Imboden,	Thornton,
Cox, L. B.	Marshall, T	Tully—15.

And then the House adjourned.

MONDAY, JANUARY 6, 1845.

A message was received from the Senate, announcing their concurrence in a resolution from this House for appointing a joint committee to revise the common school laws.

That they had passed bills of the following titles, viz:

An act to extend the charter of the Bank of the Commonwealth of Kentucky.

An act for the benefit of Robert and Mary Price.

An act for the benefit of Isaiah Heston, late Sheriff of Breckinridge county.

An act to authorize the Trustees of Taylorsville to close a part of Water street, and for other purposes.

An act to change the name of Catharine Sherwood Walton Wooldridge.

1. Mr. Thruston presented the petition of Paschal D. Craddock, praying a change of venue in a prosecution pending against him in the Jefferson Circuit Court, for perjury.
2. Mr. J. Clark presented the petition of sundry citizens of Caldwell county, praying that an additional Justice of the Peace be allowed said county.
3. Mr. Waddill presented the petition of Benjamin Leavell, praying that he be permitted to import into this State a slave.
4. Mr. W. C. Marshall presented the petition of the Trustees of the Sharon Presbyterian Church, in Bracken county, praying the passage of a law incorporating said church.
5. Also, the petition of sundry citizens of Bracken county, praying that an additional Justice of the Peace be allowed to said county.
6. Mr. Ewing presented the petition of the Trustees of the town of Russellville, praying the repeal of the 3d and 5th sections of an act concerning said town, and that they be allowed to license tippling houses.
7. Also, the petition of Daniel Bailey, praying that nine dollars and forty five cents, improperly paid by him, as revenue tax, be refunded him.
8. Mr. Terrill presented the petition of sundry citizens of Ballard county, praying that an additional Constable be allowed to said county.
9. Mr. Ewing presented the petition of Joseph G. McClelland, praying the passage of a law authorizing a sale of certain real estate devised to his wife and children.
10. Mr. Shanklin presented the petition of sundry citizens of the town of Frankfort, praying that compensation be allowed to Sanford Goins and others, for services rendered the State, on the night of the burning of the Penitentiary.
11. Mr. L. B. Cox presented the petition of Joseph Moore, praying that the sum of twenty dollars, improperly paid by him for a pedler's license, be refunded to him.
12. Mr. Beard presented the petition of John Emerson, Jr., praying to be divorced from his wife, Elizabeth Emerson.
13. Mr. J. Jones presented the petition of Preston Simpson, praying permission to retail spirituous liquors without obtaining a license.
14. Mr. Beard presented the petition of sundry citizens of Wayne county, praying an amendment to the act authorizing a sale of the seminary lands, belonging to said county.
15. Mr. Triplett presented the petition of Nancy Clayton, praying to be divorced from her husband, John M. Clayton.
16. Mr. Anthony presented the petition of sundry citizens of Allen county, praying that compensation be allowed to Henry D. Snow, for time lost and expenses incurred in his defence to a prosecution against him.

Which petitions were received, the reading thereof dispensed with, and

referred—the 1st, 2d, 3d, 6th, 8th and 9th to the committee for Courts of Justice; the 4th and 5th to Messrs. W. C. Marshall, W. J. Clark and Harris; the 7th and 13th to the committee on Ways and Means; the 10th, 11th and 16th to the committee on Claims; the 12th and 15th to the committee on Religion, and the 14th to Messrs. Beard, Stone and Lair.

Mr. R. S. Todd, from the committee on Ways and Means, moved the following resolution, viz:

Resolved, That the Governor be requested to lay before the Legislature, at an early day, a plan more fully to meet the designs of the Sinking Fund.

Which was adopted.

Mr. Terrill read and laid on the table the following resolutions, viz:

Resolved by the General Assembly of Commonwealth of Kentucky, That the Senators from the State of Kentucky be instructed, and our Representatives in Congress be requested, to bring the subject of an appropriation of money for the erection of a building for a Marine Hospital, upon the lot of ground in the town of Paducah, which was purchased several years ago by the General Government for that purpose.

Resolved, That as an act of justice and humanity to the seamen of the West, we believe immediate provision should be made by Congress for the erection of said building, for a Marine Hospital.

Resolved, That his Excellency, the Governor, be requested to forward a copy of the above resolutions to our Senators and Representatives in Congress, with a request that they call the attention of Congress to this subject.

The rule of the House requiring joint resolutions to lay one day on the table having been dispensed with,

The said resolutions were twice read and adopted.

Mr. Salter moved the following resolution, viz:

Resolved, That the committee on Courts of Justice enquire into the expediency of so amending the act limiting actions [for the recovery of land by females and their heirs, approved 7th February, 1840, so as to reduce the limitation to one year.

And the question being taken on the adoption of the same, it was decided in the negative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wheat—1. A bill for the benefit of David Janes, and his wife, Mary Janes, of Adair county.

On motion of same—2. A bill to change the place of voting in Adair county, from James Butler's to John S. Coleman's.

On motion of Mr. Sea—3. A bill to amend the law in relation to merchants' open accounts.

On motion of Mr. W. C. Marshall—4. A bill to amend the law regulating the proceedings before Justices of the Peace.

On motion of same—5. A bill to amend the law regulating the settlement of executor's and administrator's accounts.

- On motion of same—6. A bill to amend the execution laws.
- On motion of Mr. Kalfus—7. A bill for the benefit of Nancy Hawkins.
- On motion of Mr. Brasher—8. A bill to extend the provisions of an act, entitled, an act for the benefit of the mechanics of Louisville, to the county of Boone.
- On motion of Mr. Moore—9. A bill to abolish an election precinct in Butler county.
- On motion of Mr. Haggard—10. A bill to reduce the salaries of certain officers of this Commonwealth, and for other purposes.
- On motion of Mr. Osborn—11. A bill to abolish two election precincts in Lawrence county.
- On motion of Mr. Garrard—12. A bill to prohibit merchants from selling less than one gallon of spirituous liquors.
- On motion of same—13. A bill to protect the wool growers, and for other purposes.
- On motion of Mr. Johnson—14. A bill to prevent free persons of color from owning or inheriting slaves.
- On motion of Mr. W. J. Clark—15. A bill to change the name of Henry Harrison Fraley, of Estill county, to that of William Henry Harrison Daniel, and for other purposes.
- On motion of Mr. Corum—16. A bill to repeal an act, entitled, an act regulating the Owingsville and Big Sandy Turnpike Road Company, approved February 27, 1844, and for other purposes.
- On motion of Mr. Salter—17. A bill concerning the Kentucky River Navigation.
- On motion of Mr. Towles—18. A bill to change the place of voting at the Green Spring precinct, in Green county.
- On motion of Mr. Thruston—19. A bill to prescribe the duty of the Clerks of the Courts of this Commonwealth in cases of levies on and sales of land under execution.
- On motion of same—20. A bill to alter the terms of the Jefferson Circuit Court, and for other purposes.
- On motion of Mr. Ewing—21. A bill to allow the young men of Russellville to carry on a Thespian Society, without obtaining license.
- On motion of Mr. Runyon—22. A bill to amend the 1st section of an act, entitled, an act to amend the laws regulating the management of the Wilderness road and Madison Fork, and for other purposes.
- On motion of Mr. Chambers—23. A bill for the benefit of Frances Bledsoe.
- On motion of same—24. A bill for the benefit of the school fund.
- On motion of same—25. A bill to amend the laws of the town of Augusta.

On motion of Mr. Triplett—26. A bill to regulate the law of divorces.

On motion of same—27. A bill to abolish Harmony Landing precinct, in Oldham county.

On motion of Mr. Crow—28. A bill to amend an act, entitled, an act to release to Ohio county the interest of the State in the Hartford Bridge Company, approved March 2, 1844.

On motion of Mr. Lair—29. A bill for the benefit of John Mershon, of Pulaski county.

On motion of same—30. A bill to allow an additional Constable to Pulaski county.

On motion of Mr. Cleaveland—31. A bill to protect the public works on Licking river, and for other purposes.

On motion of Mr. Stone—32. A bill to legalize certain proceedings of the 45th Regiment of Kentucky Militia.

On motion of Mr. Dickey—33. A bill to extend the jurisdiction of Magistrates.

On motion of Mr. McHenry—34. A bill further to regulate conveyances of land by Sheriffs.

On motion of Mr. Anthony—35. A bill to authorize the Clerks of the Circuit and County Courts to issue *subpoena duces tecum*, without special order of Court.

Ordered, That Messrs. Wheat, Bowman and Lair prepare and bring in the 1st; Messrs. Wheat, Stone and Haggard the 2d; the committee for Courts of Justice 3d, 4th, 5th, 6th, 7th, 19th, 21st, 34th and 35th; Messrs. Brasher, Groesbeck and Root the 8th; Messrs. Moore, Crow and Graves the 9th; Messrs. Haggard, Leslie, Beard and Hardy the 10th; the committee on Propositions and Grievances the 11th and 27th; the committee on Religion the 12th; the committee on Agriculture and Manufactures the 13th; Messrs. Johnson, McRery, Chambers and Waddill the 14th; Messrs. W. J. Clark, Runyon and Harris the 15th; Messrs. Corum, Mason and Porter the 16th; Messrs. Salter, Runyon and Hopkins the 17th; the committee on Privileges and Elections the 18th; Messrs. Thruston, McHenry and Speed the 20th; Messrs. Runyon, Chesnut and Salter the 22d; the committee on Claims the 23d; Messrs. Chambers, Thruston, Desha, Porter, T. Marshall, J. F. Todd, Johnson, Groesbeck, Hardy, Grigsby, Heady, McRery and Salter the 24th; Messrs. Chambers, W. C. Marshall and Speed the 25th; Messrs. Triplett, Hobbs and R. B. Gray the 26th; Messrs. Crow, Harrison and Brown the 28th; Messrs. Lair, Beard and Garrard the 29th; Messrs. Lair, Wheat and Beard the 30th; Messrs. Cleaveland, Groesbeck, Root and W. C. Marshall the 31st; the committee on Military Affairs the 32d, and Messrs. Dickey, J. F. Todd and Glenn the 33d.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Religion—1. A bill for the benefit of Jane Cox.

By Mr. Terrill—2. A bill to incorporate the town of Blandville.

By Mr. Lawless—3. A bill to reduce into one the several laws exempting property from execution, and defining the property which shall hereafter be exempt.

By same—4. A bill to exempt flat boats, descending Green and Barren rivers, from paying tolls at the locks where they leave at points on said rivers above the influence of slackwater.

By Mr. Root—5. A bill amendatory of the several acts concerning the town of Newport, Kentucky.

By Mr. Corum—6. A bill to amend the road law in Greenup county.

By Mr. Prewitt—7. A bill for the benefit of Fanny Beal.

By Mr. Leslie—8. A bill to incorporate the Trustees of the Tompkinsville Old School Presbyterian Church, in Monroe county.

By Mr. Gore—9. A bill for the benefit of the mechanics of Bardstown and Nelson county.

By Mr. Beard—10. A bill to repeal the 1st section of an act limiting the number of Justices of the Peace in the county of Wayne, and for other purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 5th, 6th, 8th and 9th were severally ordered to be engrossed and read a third time; the 3d and 10th were referred to the committee for Courts of Justice; the 4th to the committee on Internal Improvement, and the 7th to the committee on Religion.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 5th, 6th, 8th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 3d bill for the use of the members of the General Assembly.

Mr. Groesbeck moved the following resolution, viz:

Resolved, That the Secretary of State furnish to this House a statement of the amount of State bonds issued to the several Banks of this Commonwealth in payment of the State's subscription of stock in said Banks; the amount now severally held by the same; the amount sold and authorized to be sold; the rate of interest on said bonds, and the time when the same become due.

Which being twice read, was adopted.

Mr. Prewitt moved the following resolution, viz:

Resolved, That during the remainder of the Session this House will meet at 9 o'clock in the morning.

Mr. Ewing moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. F. Todd and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beard,	Ewing,	Osburn,
Brown,	Friend,	Porter,
Carter,	Gale,	Runyon,
Chambers,	Garrard,	Shanklin,
Clark, J.	Grigsby,	Sea,
Corum,	Johnson,	Thruston,
Crow,	Jones, J.	Todd, R. S.
Dallam,	Marshall, W. C.	Triplett,
Dudley,	McHenry,	Tully,
Early,	Moore,	Wright—30.

Those who voted in the negative, were—

Mr. Speaker,	Gore,	Lawless,
Messrs. Anthony	Graves,	Leslie,
Ballingal,	Gray, R. B.	Marshall, T.
Ballinger,	Gray, W. M.	Mason,
Barnett,	Groesbeck,	McRery,
Bowman,	Haggard,	Nuckolls,
Bradley,	Hambleton,	Parker,
Brasher,	Hardy,	Prewitt,
Burnam,	Harris,	Root,
Cessna,	Harrison,	Salter,
Chesnut,	Haskin,	Shacklett,
Clark, W. J.	Hays,	Shawhan,
Cleaveland,	Hendrix,	Stanley,
Collins,	Hobbs,	Sterett,
Copelin,	Hopkins,	Stone,
Cox, A. H.	Hughes,	Terrill,
Cox, L. B.	Humphreys,	Thornton,
Desha,	Imboden,	Todd, J. F.
Dickey,	Jones, D. E.	Towles,
Eaker,	Kalfus,	Waddill,
Ford,	Lair,	Wheat—64.
Glenn,		

The said resolution was twice read and adopted.

Mr. Graves read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be, and he is hereby authorized and requested to have a national salute fired at sunrise on the morning of the 8th of January, in commemoration of the signal victory achieved at New Orleans, on the 8th of January, 1815.

Mr. Stone moved the following resolution, *viz*:

WHEREAS, The General Assembly of the Commonwealth of Kentucky, at the session of 1843-'4, appropriated the sum of \$5,000 to the Institution for the Education of the Blind, at Louisville—therefore,

Resolved, That the committee on Banks, on their visit to the City of Louisville, be, and they are hereby instructed to visit said Institution, and enquire into the condition and situation of the same; the manner in which any money, heretofore appropriated, has been expended, and all other matters and things deemed important by said committee, and report to this House.

Which being twice read, was concurred in.

Bills from the Senate of the following titles, *viz*:

1. An act to extend the charter of the Bank of the Commonwealth of Kentucky.

2. An act for the benefit of Robert and Mary Price.

3. An act for the benefit of Isaiah Heston, late Sheriff of Breckinridge county.

4. An act to authorize the Trustees of the town of Taylorsville to close a part of Water street, and for other purposes.

5. An act to change the name of Catharine Sherwood Walton Woolbridge.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st and 2d were referred to the committee on Ways and Means; the 3d and 5th were ordered to be read a third time, and the 4th was referred to the committee for Courts of Justice.

The rule of the House, constitutional provision and third reading of the 3d and 5th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A communication was received from the Secretary of State, which is as follows, *viz*:

OFFICE OF SECRETARY OF STATE, }
January 6, 1845. }

Pursuant to the act of the 18th of February, 1841, entitled, "an act prescribing the mode of preserving the evidence of the payment of interest on certain State bonds," the Secretary of State has the honor to transmit herewith, to the House of Representatives, a tabular statement, showing the monthly payments of interest on six years bonds, from the 1st of November, 1843, to the 1st of December, 1844.

STATEMENT.

Interest paid in November, 1843,	-	-	-	\$ 1,499 57
Do. do. December, "	-	-	-	2,040 00
Do. do. January, 1844,	-	-	-	1,607 83
Amount carried forward,	-	-	-	\$ 5,147 40

JAN. 7.]

HOUSE OF REPRESENTATIVES.

65

	Amount brought forward,	-	-	-	\$ 5,147 40
Interest paid in February,	"	-	-	-	497 02
Do. do. March,	"	-	-	-	114 00
Do. do. April,	"	-	-	-	2,145 00
Do. do. May,	"	-	-	-	497 00
Do. do. June,	"	-	-	-	890 32
Do. do. July,	"	-	-	-	954 64
Do. do. August,	"	-	-	-	1,272 28
Do. do. September,	"	-	-	-	23 05
Do. do. October,	"	-	-	-	1,880 60
Do. do. November,	"	-	-	-	995 10
					<hr/> <hr/> <hr/> \$ 14,416 41

BEN. HARDIN, *Secretary of State.*

January 6, 1845.

Ordered, That said communication be referred to the committee on the Sinking Fund.

And then the House adjourned.

TUESDAY, JANUARY 7, 1845.

A message was received from the Senate, announcing their concurrence in a resolution from this House, fixing a day for the final adjournment of the General Assembly.

1. Mr. McHenry presented the petition of sundry citizens of Shelby county, praying an amendment to the militia laws.

2. Mr. Ford presented the petition of Eleanor W. Maddox, administratrix of John J. Maddox, deceased, praying the cancelment of a contract made by her deceased husband for the sale of a tract of land to Robert Mitchell.

Which petitions were severally received, the reading thereof dispensed with and referred—the 1st to the committee on Military Affairs, and the 2d to the committee for Courts of Justice.

On motion of Mr. Hobbs,

Ordered, That the Public Printer forthwith print 150 copies of the message of the Governor, of Friday last, in relation to the Penitentiary, for the use of the members of the General Assembly.

A communication was received from the Secretary of State, enclosing a tabular statement in relation to six years bonds cancelled, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That said communication be referred to the committee on the Sinking Fund.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred the petition of Edmund Batsel, asked to be discharged from the further consideration thereof, which was granted.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill to amend the act incorporating the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844, reported the same with an amendment, which was concurred in.

Mr. Mason moved to amend said bill by adding the following section, viz:

Be it further enacted, That the stockholders shall be individually responsible for all demands against said company.

Mr. Lawless moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Mason be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. Marshall and Ewing, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Eaker,	Jones, J.
Ballingal,	Early,	Lecompte,
Barnett,	Gale,	Marshall, T
Bowman,	Garrard,	Mason,
Bradley,	Glenn,	Moore,
Brasher,	Gray, W. M.	Nuckolls,
Brown,	Hambleton,	Osburn,
Carter,	Hardy,	Prewitt,
Cessna,	Haskin,	Root,
Clark, J.	Hays,	Shacklett,
Cleaveland,	Hendrix,	Shawhan,
Copelin,	Hughes,	Stanley,
Corum,	Humphreys,	Sterett,
Desha,	Imboden,	Towles—43.
Dickey,		

Those who voted in the negative, were—

Messrs. Ballinger,	Haggard,	Salter,
Burnam,	Harris,	Shanklin,
Chesnut,	Hobbs,	Speed,
Clark, W. J.,	Hopkins,	Sea,

Collins,	Johnson,	Terrill,
Cox, A. H.	Jones, D. E.	Thornton,
Cox, L. B.	Kalfus,	Thruston,
Crow,	Lair,	Todd, J. F.
Dallam,	Lawless,	Todd, R. S.
Ewing,	Leslie,	Triplett,
Ford,	McHenry,	Tully,
Friend,	McRery,	Waddill,
Gano,	Parker,	Wheat,
Gore,	Porter,	Whitaker,
Gray, R. B.	Runyon,	Wright--47.
Grigsby,	Russell,	

Ordered, That said bill, as amended, be engrossed and read a third time.

Mr. Thruston, from the same committee, to whom was referred bills of the following titles, viz:

A bill to amend an act, entitled, an act to regulate the management of the Wilderness road, and for other purposes, approved March 2, 1844.

A bill for the benefit of the Clerks of the Clinton Circuit and County Courts.

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, moved the following resolution, viz:

Resolved, That the State Librarian purchase, immediately, as many copies of Loughborough's Digest as there are standing committees in the House, for the use of said committees.

Which was concurred in.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions from the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Isaiah Heston, late Sheriff of Breckinridge county.

An act to change the name of Catharine Sherwood Walton Wooldridge.

Resolutions to appoint a joint committee to examine Transylvania University and the Lunatic Asylum.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

The Speaker laid before the House a communication from the late Keeper of the Penitentiary, which is as follows, viz:

FRANKFORT, JANUARY 7, 1845.

SIR:—You will please lay before the House over which you have the honor to preside, the enclosed letter,

Very respectfully,

Your obedient servant,

THO. S. THEOBALD.

To the Hon. CHARLES S. MOREHEAD,
Speaker of the House of Representatives.

FRANKFORT, JANUARY 6, 1845.

To the General Assembly of the Commonwealth of Kentucky:

A report of the Visiter of the Penitentiary, under date the 1st inst., has been brought to my notice, which contains the following statements:

" We made our first visit and examination on the 25th of March last, " (being a few days after the present Keepers entered and took the management of the Institution,) at which time the entire establishment seemed to " be wanting in every thing that tended to the comfort, cleanliness, and " health of the convicts, and the welfare of the Institution. The yard and " back part of the work-shops crowded with filth and dirt; the cells infested " by fleas and filth; the clothing of the convicts worn out and dirty; the " eating room uncomfortable, and the eating utensils rendered useless by age " and rust—all of which matters were pointed out to the Keepers, and a radical and thorough change for the better promised, on their part. At our " subsequent visits in the months of April, May, June, and July, we were " deeply impressed with the greatly improved condition of the entire establishment, especially the eating, clothing and sleeping departments."

Although I am not referred to in the foregoing extract, either by name or date, unprejudiced minds have drawn inferences from its peculiar structure and language, unfavorable to my official management and reputation. I beg to preface what I am about to say with the declaration of the belief, that the respectable gentlemen whose names are affixed to the report, did not mean to produce the inferences which others have drawn from its statements; for during the ten years while I directed the management of the Prison, neither the Visiter, then as now required to make monthly examinations of its condition, nor any committee of the Legislature expressed to me or reported to the Legislature, the slightest dissatisfaction, but, on the contrary, frequently declared their approbation and admiration of my conduct. But I am not therefore the less bound, by a regard to my official and personal reputation, to resist the inferences drawn by others from their report.

I proceed to say then, that the condition of things reported on the 25th of March, a date which the Visiter strangely deem "a few days" after the present Keepers took charge, and consequently "a few days" after I surrendered the Institution, was not that in which I delivered it over to my successors.

Twenty five days may be deemed "a few days" in regard to some things, but such number of days would be a long time to neglect cleaning up the filth, accumulating in a small area, produced by more than 150 men, employed at labor on materials necessarily making much litter. On the 1st of March, when my time of service expired, as during my whole administration,

"every thing that tended to the comfort, cleanliness, and health of the convicts and the welfare of the Institution," was abundantly and seasonably on hand, the inferences which may be drawn from the report of the Visitors to the contrary notwithstanding.

The "yard and back part of the work-shops crowded with filth and dirt," was not the state of things on the 1st of March or previously. But, on the contrary, the whole establishment was always kept as clean as I could possibly keep it, by regular daily and weekly cleansing; and if the fact has ever been otherwise, then Visitors have grossly neglected their duty in not reporting the fact.

"The cells infested by fleas and filth." I own to the *fleas*, but utterly deny the *filth* during any part of my official term. As to the fleas, I employed every means known to me to get rid of them, with only partial success. I burnt shavings and straw over the whole floor surrounding the cells; I spread hot lime; I deluged with water and decoctions of smart weed, and other offensive and acrid things; I burnt up the contents of the bed-ticks, and boiled the ticks and bed-clothing in hot water; I turned in flocks of sheep, and tried many other experiments unsuccessfully; still the curse of Egypt was not stayed. But I am informed that fleas infest every such Institution, and that no remedy has as yet been discovered. If these Visitors can find out any remedy for this grievance, they will entitle themselves to the name of benefactors to the prisoners, and render an acceptable service to my successors, which they never even spoke of to me. Had the Visitors descended to report the condition of things in July, with the particularity of detail given in regard to it on the 25th of March, I am constrained to believe they would have stated, what was the notorious fact, that the fleas were infinitely more numerous in July than in March.

"The eating room uncomfortable, and the eating utensils rendered useless by age and rust." Such was never the fact prior to the 1st of March, 1844. The eating utensils were partly of tin and partly of wood; and I will undertake to say and prove, that during my administration, they were always kept as sweet and clean as it was possible to keep them. The private kitchen of the most fastidious housekeeper could not have been more decently kept, as is well known to hundreds of habitual visitors, including Governor Letcher, who looked into this matter with regular and constant vigilance. I do not, by any means, intend to call in question the statements of the Visitors referring to any period subsequent to the 1st of March last; but a just regard to my own official reputation, requires me to resist the inferences drawn to my prejudice, from the very singular manner in which the report is drawn up, seized upon to do me injury in other ways besides disparaging my official management. The Visitors may have seen things precisely in the state they represent, or they may have been deceived by appearances and contrivances.

"The clothing of the convicts worn and dirty." Such was not the fact on and prior to the first of March last. I left every prisoner, as I had always kept every one, with a good suit of prison clothing, and if my memory is not amiss, left surplus clothing ready made, and surplus material for clothing, to my successors. The clothing of the prisoners was always regularly washed, soap in abundance having always been furnished both for that and the personal use of the convicts. They never, at any time, lacked for any thing necessary to health, cleanliness, and comfort, which I could possibly procure.

I will conclude by praying that, if this report should be taken up in any way by the Legislature, with a view to any bearing whatever against me, individually or officially, that I be notified and permitted to present evidence of the truth of all I have said above.

THO. S. THEOBALD.

Ordered, That said communication be referred to the committee on the Penitentiary, and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

The House then took up for consideration the resolution read and laid on the table on yesterday, by Mr. Graves.

Mr. Lawless moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative. The yeas and nays being required thereon by Messrs. T. Marshall and Mason, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker,	Gore,	McRery,
Messrs. Ballinger,	Gray, W. M.	Osburn,
Bowman,	Grigsby,	Parker,
Brown,	Haggard,	Porter,
Burnam,	Harris,	Prewitt,
Cessna,	Harrison,	Runyon,
Chesnut,	Hobbs,	Salter,
Clark, W. J.	Hopkins,	Shacklett,
Collins,	Imboden,	Speed,
Cox, A. H.	Johnson,	Stanley,
Cox, L. B.	Jones, D. E.	Thornton,
Dallam,	Jones, J.	Thruston,
Dickey,	Kalfus,	Todd, R. S.
Early,	Lair,	Tully,
Ewing,	Lawless,	Waddill,
Ford,	Leslie,	Whitaker,
Gano,	McHenry,	Wright—51.

Those who voted in the negative, were—

Messrs. Anthony	Friend,	Mason,
Ballingal,	Gale,	Moore,
Barnett,	Garrard,	Nuckolls,
Bradley,	Glenn,	Root,
Brasher,	Gray, R. B.	Russell,
Carter,	Hambleton,	Shanklin,
Clark, J.	Hardy,	Shawhan,
Cleaveland,	Haskin,	Sterett,
Copelin,	Hays,	Sea,
Corum,	Hendrix,	Terrill,
Crow,	Hughes,	Todd, J. F.
Desha,	Humphreys,	Towles,
Dudley,	Lecompte,	Triplett,
Eaker,	Marshall, T.	Wheat—49.

Mr. Hardy, from the committee on Religion, to whom was referred the petition of Jeremiah Barkshire, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. R. S. Todd, from the committee on Ways and Means, to whom was referred bills from the Senate of the following titles, viz:

1. An act for the benefit of Robert and Mary Price.

2. An act to extend the charter of the Bank of the Commonwealth of Kentucky.

Reported the 1st without, and the 2d with amendments, which were concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. T. Marshall, from the committee on the Expenditures of the Board of Internal Improvement, moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement be requested to make his report of the expenditures of the Board as promptly as practicable.

Which was adopted.

Mr. J. F. Todd, from the committee on Internal Improvement, to whom was referred a bill further to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Brown moved the following resolution, viz:

Resolved, That the committee on Banks be instructed to enquire of each of the Banks of this Commonwealth whether they can, with safety to the Institution, re-loan, in the same manner, the sums required to be loaned by the act approved March 8, 1843, entitled, "an act to amend the charters of the Banks of Kentucky;" and whether said Banks are willing to do so; if not, that said Banks state fully and explicitly the reasons why they are unable and unwilling to make said loans; whether they or either of them have sustained any loss by the former loans, and the amount of such loss.

Which was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee for Courts of Justice--1. A bill for the benefit of Susan M. Wilson.

- By same—2. A bill to amend the penal laws.
By same—3. A bill for the relief of Ishmael C. Sutton, a Constable of Ohio county.
By same—4. A bill for the benefit of the Methodist Episcopal Church, in Elkton.
By same—5. A bill for the benefit of Isaac Johnson and others.
By same—6. A bill to permit Julia Ann Keedy to import certain slaves into this Commonwealth.
By same—7. A bill for the benefit of the widow and heirs of Charles G. Jenkins, deceased.
By same—8. A bill to repeal the law dispensing with seals to certain instruments of writing.
By same—9. A bill for the benefit of the widow and heirs at law of John McElyea.
By same—10. A bill for the benefit of the heirs and administrator of John Q. Thompson.
By the committee on Ways and Means—11. A bill for the benefit of the Sheriffs of Graves and Perry counties.
By the committee on Internal Improvement—12. A bill for the benefit of John Vickers.
By same—13. A bill for the benefit of Aquilla Hoskins.
By Mr. Brasher—14. A bill for the benefit of the mechanics of the county of Boone.
By Mr. Garrard—15. A bill for the benefit of Frederick Nance.
By Mr. W. J. Clark—16. A bill to change the name of Henry Harrison Fraley.
By Mr. J. Jones—17. A bill to change a precinct in Harlan county.
By Mr. Hobbs—18. A bill the better to define the western and southern limits of the City of Louisville.
By same—19. A bill regulating the precincts in Jefferson county, and for other purposes.
By Mr. Runyon—20. A bill to amend an act, entitled, an act to amend the laws regulating the management of the Wilderness road and Madison Fork, and to amend and reduce into one the several acts incorporating the Oakland Turnpike Road Company, approved March 2, 1844.
Which were read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 16th, 17th, 19th and 20th were severally ordered to be engrossed and read a third time; the 14th and 15th were referred to the committee for Courts of Justice, and the 18th to the committee on Propositions and Grievances.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 16th, 17th, 19th and 20th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, reported a bill exempting certain property from execution, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Lawless proposed an amendment to said bill.

Ordered, That said bill and amendment be referred to a committee of the whole, and made the special order for Friday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Leave was given to bring in the following bills, viz:

On motion of Mr. J. F. Todd—1. A bill to repair Lock No. 1, on Barren river.

On motion of Mr. Terrill—2. A bill for the benefit of Abel Morgan, restoring him to the rights and privileges of a citizen of the United States.

On motion of same—3. A bill for the benefit of the tobacco interest of this State, touching a State Warehouse at Paducah.

On motion of Mr. Root—4. A bill to amend the road laws of Campbell county.

On motion of same—5. A bill to establish a Library Association at Newport.

On motion of same—6. A bill for the benefit of John Wiggins Flora.

On motion of Mr. Harrison—7. A bill for the benefit of D. R. D. Dobyns, of Christian county.

On motion of same—8. A bill for the benefit of the heirs of John McFaddin, deceased, of Christian county.

On motion of Mr. Bowman—9. A bill to authorize the County Court Clerks to take an affidavit of the age of persons applying for marriage license.

On motion of same—10. A bill to allow two additional Justices of the Peace to Casey county.

On motion of Mr. Nuckolls—11. A bill for the benefit of the Sheriffs of Marshall and Calloway counties.

On motion of Mr. Johnson—12. A bill to legalize the appointment of Benjamin Allsop, Constable of Daviess county.

On motion of Mr. W. J. Clark—13. A bill to legalize the proceedings of the Estill County Court, held in the month of October, 1844.

On motion of Mr. Tully—14. A bill to amend an act, entitled, an act to amend the charter of the Owingsville and Big Sandy Turnpike Road Company, approved 23d February 1844.

On motion of Mr. J. Jones—15. A bill to establish an additional precinct in Harlan county.

On motion of Mr. Speed—16. A bill to compensate persons whose property has been destroyed by mobs or riots in the City of Louisville.

On motion of same—17. A bill to amend the law establishing the inspection of salt within this Commonwealth, and for other purposes.

On motion of Mr. McRery—18. A bill to facilitate the collection of rents for water power, on the Green and Barren rivers.

On motion of same—19. A bill for the benefit of the heirs of John Humphrey.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st, 14th and 18th; Messrs. Terrill, J. F. Todd and Prewitt the 2d; the committee on Agriculture and Manufactures the 3d and 17th; Messrs. Root, Runyon, Brasher and Haggard the 4th; Messrs. Root, Triplett, Haggard and Terrill the 5th; Messrs. Root, Hopkins, Cleaveland and Corum the 6th; Messrs. Harrison, Waddill and Crow the 7th; Messrs. Harrison, Waddill and Glenn the 8th; the committee for Courts of Justice the 9th and 11th; Messrs. Bowman, Wheat and Stone the 10th; Messrs. Johnson, McRery and Stanley the 12th; Messrs. W. J. Clark, Ballinger and Harris the 13th; Messrs. J. Jones, R. S. Todd and Early the 15th; Messrs. Speed, Thruston and Hobbs the 16th, and Messrs. McRery, Johnson and Dickey the 19th.

On motion of Mr. Thruston,

Ordered, That Mr. McHenry be added to the committee for Courts of Justice.

And then the House adjourned.

WEDNESDAY, JANUARY 8, 1845.

A message was received from the Senate, announcing their concurrence in resolutions from this House in relation to the erection of a Marine Hospital at Paducah.

That they had passed bills from this House of the following titles, viz:

An act to incorporate the town of Benton, and for other purposes.

An act for the benefit of mechanics and others of Bowlinggreen.

An act to amend an act to add a part of Adair county to Casey county, approved January 29, 1844.

An act to change the name of Martha Stewart Whitecotton.

An act to authorize the appointment of a Justice of the Peace and Constable in Whitley county, and for other purposes.

An act for the benefit of Mary Ann Fugate.

With amendments to the two last named bills.

That they had passed a bill, entitled, an act allowing an additional Justice of the Peace and Constable to Johnson county, and for other purposes.

1. Mr. McHenry presented the petition of John Cowan and others, praying the passage of a law authorizing the sale of the real estate of James Venable, Sen., a lunatic, for the payment of his debts.

2. Mr. J. Jones presented the petition of John Angel, praying that he be permitted to import into this State a slave.

3. Mr. Waddill presented the petition of sundry citizens of Christian county, praying the passage of a law authorizing the County Court of said county to allow George O. Thompson compensation for expenses incurred in apprehending a fugitive from justice.

4. Mr. W. J. Clark presented the petition of sundry citizens of Estill county, praying the passage of a law allowing Abner Wiseman to erect a mill dam across Station Camp Creek, in said county.

5. Mr. Osborn presented the petition of Isaac Bolt, late Sheriff of Lawrence county, praying the passage of a law allowing further time to collect the taxes due and unpaid, and to have a deputy qualified to make the collections.

6. Mr. Runyon presented the petition of Martha Tudor and William Marksberry, praying the passage of a law authorizing a sale of the real estate of Morris Tudor, deceased, for the payment of his debts, in lieu of the slaves of said estate.

7. Mr. Root presented the petition of Fortunati Batistasia, praying to be divorced from his wife, Mary L. Batistasia.

Which petitions were severally received, the reading thereof dispensed with and referred—the 1st, 2d, 3d, 5th and 6th to the committee for Courts of Justice; the 4th to the committee on Internal Improvement, and the 7th to the committee on Religion.

The Speaker laid before the House the annual report of the Superintendent of Public Instruction, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on Education, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Grigsby, from the committee on Propositions and Grievances, to whom was referred the petition of William Lucas, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hardy, from the committee on Religion, to whom was referred the petition of Peggy Lewis; the petition of Sarah R. Stapp, and the petition of Edward Farrar, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. R. S. Todd, from the committee on Ways and Means, to whom was referred leave to bring in the following bills, viz:

A bill for the benefit of the Sheriff of Owen county.

A bill for the benefit of the Sheriff of Trimble county.

Asked to be discharged from the further consideration thereof, which was granted.

Mr. R. S. Todd, from the same committee, to whom was referred the petition of Preston Simpson, praying the passage of a law permitting him to sell spirituous liquors without license, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. R. S. Todd, from the same committee, to whom was referred the petition of John Cunningham, praying permission to peddle goods without license, reported the same with the following resolution, viz:

Resolved, That said petition is reasonable.

Which was concurred in.

Mr. R. S. Todd, from the same committee, to whom was referred a bill for the benefit of John Reynolds, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, reported a bill authorizing the Board of Trustees of Russellville to license tippling houses, which was read the first time.

Mr. J. F. Todd moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to establish an election precinct in the county of Pike.

By same—2. A bill to establish the county of Fulton.

By the committee on Privileges and Elections—3. A bill to establish an election precinct in Hopkins county.

By the committee for Courts of Justice—4. A bill to alter and amend the road laws.

By same—5. A bill authorizing Maria Jane Pottinger to confirm the sale of a slave made by her guardian, George W. Pottinger.

By the committee on Religion—6. A bill for the benefit of Amelia M. Hamilton, and for other purposes.

By same—7. A bill for the benefit of Sally B. Booker.

By same—8. A bill further to restrict the sale of spirituous liquors.

By the committee on Ways and Means—9. A bill for the benefit of William Hart and William L. Smith.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 6th, 7th and 9th were severally ordered to be engrossed and read a third time; the 4th was referred to Messrs. T. Marshall, Collins, Triplett, Hardy, Crow, Sterett and Russell, and the 8th to the committee on Religion.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th, 6th, 7th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

THURSDAY, JANUARY 9, 1845.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act to extend the charter of the Bank of the Commonwealth of Kentucky.

That they had passed bills from this House, of the following titles, viz:

An act allowing an additional Justice of the Peace to Greenup county.

An act for the benefit of the mechanics of Bardstown and Nelson county.
An act to allow an additional Justice of the Peace to Johnson county.
With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act reducing into one the several acts
for apprehending and securing runaways, approved January 16, 1798.

An act providing for a change of venue in the prosecution against Hiram
B. Pearce.

An act to amend an act, entitled, an act to amend the charter of Cum-
berland College, approved February 16, 1838, and the act approved Febru-
ary 18, 1841.

1. Mr. Hardy presented the petition John Young, Keziah E. Young and
Sarah Young, praying the passage of a law authorizing the sale of certain
real estate belonging to said Keziah E. and Sarah Young, who are infants.

2. Mr. Ford presented the petition of William Long, praying to be di-
vorced from his wife, Elizabeth Long.

3. Mr. R. S. Todd presented the memorial of M. C. Johnson, John Mc-
Murtry and H. I. Bodley, committee on the part of the City of Lexington,
upon the subject of a lease made by said city to the Lexington and Ohio
Railroad, a Market House, previous to the sale of said road and purchase
thereof by the State.

4. Mr. Desha presented the petition of Joseph W. Tate, praying to be
divorced from his wife, Mary C. Tate.

5. Mr. W. J. Clark presented the petition of sundry citizens of Estill
county, praying that Station Camp Creek, in said county, be declared a nav-
igable stream.

Which were received, the reading thereof dispensed with, (except the
3d, which was read,) and referred—the 1st to the committee for Courts of
Justice; the 2d and 4th to the committee on Religion; the 3d to the com-
mittee on Claims, and the 5th to the committee on Internal Improvement.

Mr. J. F. Todd, from the committee on Internal Improvement, to whom
was referred the petition of Jas. Lewis and W. Slusher, reported the
same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Collins, from the committee on Claims, to whom was referred the pe-
tition of Henry D. Snow, and the petition of Joseph Moore; reported the
same with following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills from the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Robert and Mary Price.

An act to extend the charter of the Bank of the Commonwealth of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

Mr. J. F. Todd, from the committee on Internal Improvement, to whom was referred a bill to exempt flat boats descending Green and Barren rivers from paying toll at the Locks where they leave at points on said rivers above the influence of slackwater, reported the same without amendment.

Mr. McHenry moved to refer said bill to a select committee with instructions to enquire into the expediency of exacting tolls, to some equitable and just extent, on flat boats passing through the Locks on Kentucky river, and which are from points above slackwater navigation.

And the question being taken thereon, it was decided in the affirmative.

Whereupon, Messrs. Heady, McHenry, Lawless, Salter, Ewing, McRery, J. F. Todd, Hardy and Runyon were appointed said committee.

Mr. Ford, from the committee on Agriculture and Manufactures, to whom was referred a bill to prevent fraud in the sale of salt, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. R. S. Todd, from the committee on Ways and Means, to whom was referred a bill to amend the laws upon the subject of pedlers, reported the same with an amendment as a substitute for said bill.

Ordered, That said bill and amendment be referred to the committee for Courts of Justice.

Mr. Collins, from the committee on Claims, to whom was referred the petition of Sanford Goins and others, asked to be discharged from the further consideration thereof, which was granted.

Ordered, That said petition be referred to the committee on the Penitentiary.

Mr. Collins, from the same committee, reported a bill for the benefit of John, a slave, which was read the first time.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative, and so said bill was rejected.

Mr. Thruston, from the committee for Courts of Justice, to whom was

referred a bill further to protect the rights of females in this Commonwealth, reported the same with an amendment, as a substitute for said bill.

The said bill reads as follows, viz:

1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That from and after the passage of this act no species of property belonging to any female before marriage, or which she may inherit in any way thereafter, nor the increase, proceeds or profits thereof, shall be liable for the debts of her husband, contracted before their marriage; and that all deeds, bills of sale and instruments of writing of every description, relating in any way to said property, or listing the same for taxation, shall be done by him, as her agent.

2. *Be it further enacted,* That upon the death of any male citizen of this State, without issue, one half of the estate, of every description, belonging to said decedent, at the time of his death, after the payment of his just debts, shall vest in his widow.

The amendment proposed as a substitute for said bill, is as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the slaves of a married woman shall hereafter, within this Commonwealth, be held and taken to be real estate, in so far, that no slave or slaves, or the increase thereof, which any such married woman had at the time of her marriage, or which may come, descend, or be devised or given to her during her coverture, shall be liable to the debts of her husband, or be attached, levied on, or sold for his debts or liabilities of any sort or kind, whether such debts or liabilities accrued before or after the marriage: nor shall the life estate of the husband, his wife living, be levied on, executed, or sold, for any such debts or liabilities: *Provided, however,* That the slaves of any married woman, owned at the time of her marriage, or which may be acquired by her in any of the modes aforesaid, shall, in no case, be exempt from the payment of her debts and liabilities, created or arising before marriage, but that such slave or slaves shall, notwithstanding, remain liable to such debts or liabilities, by the appropriate remedy at law or in chancery.

SEC. 2. *Be it further enacted,* That husband and wife may dispose of the slaves of the wife in the same way that they may, by deed, dispose of the lands of the wife, according to the existing laws; and on the death of the wife, such her slave or slaves shall descend to her heirs at law, as lands descend by the laws of this Commonwealth, subject to a life estate of the husband surviving, in such slave or slaves; which life estate may be sold for the debts of the husband surviving, for his life and no longer.

SEC. 3. *Be it further enacted,* That the lands of no married woman within this Commonwealth, which she may have owned at the time of the marriage, or which may come, or be given, devised, or descend to her during the marriage, shall be subject to the debts of the husband, or be levied on, attached, or sold, or executed for any of his debts, created or arising either before or after the marriage: *Provided, nevertheless,* That all such, the lands of the wife, shall be liable and subject to the debts and liabilities of the wife, arising or created before the wife; but in no case shall the courtesy or life estate of the husband, be sold by process of law, except after the death of the wife, the husband surviving: *Provided,* That husband and wife may sell and convey, or dispose of the lands of the wife, by their deed acknowledged and authenticated, and recorded according to the existing laws.

SEC. 4. *Be it further enacted*, That where the husband shall survive his wife, and so become entitled to a life estate in her slaves, he shall give bond in the Court of the county where he may reside, in a penalty to be approved by the Court, with good security, conditioned not to remove or permit said slaves to be removed out of this Commonwealth, during the existence of his estate therein; and on his so removing or permitting said slaves to be removed, without first having given such bond and security, he shall forfeit his life estate to such slave or slaves so removed; and such slave or slaves so removed, in regard to which such forfeiture shall have been incurred, shall immediately vest in the heirs at law.

SEC. 5. That every purchaser of the life estate of the husband, in any such slave or slaves, levied on, attached, and sold after the death of the wife, shall give bond, within sixty days after such purchase, in the County Court of the county where such slave or slaves shall be sold, with good security, and in a penalty to be approved by the Court, conditioned not to remove such slave or slaves, or their increase, out of this Commonwealth, and to have them forthcoming, for the use of the heirs at law, or persons entitled to the remainder in fee, in such slave or slaves, and on failing to give such bond for four months, or of removal as aforesaid, without having given such bond, all the right of the purchaser or purchasers in the said slaves, shall cease and forever be forfeited, and such slave or slaves shall immediately vest in the heirs, remainder men, or persons entitled to the fee simple: *Provided*, That the Courts of Chancery shall have power to restrain the removal of any such slave or slaves, at any time, for good cause shown.

SEC. 6. *Be it further enacted*, That the provisions of this act shall be construed to extend only to marriages hereafter celebrated.

Mr. McHenry moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and Hobbs, were as follows:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Ford,	Leslie,
Barnett,	Gale,	Mason,
Bowman,	Gray, R. B.	McHenry,
Bradley,	Gray, W. M.	Nuckolls,
Brasher,	Grigsby,	Osburn,
Brown,	Haggard,	Runyon,
Burnam,	Hambleton,	Russell,
Carter,	Hardy,	Salter,
Cessna,	Harris,	Shacklett,
Chesnut,	Hays,	Shanklin,
Clark, W. J	Hendrix,	Shawhan,
Cleaveland,	Hobbs,	Sterett,
Copelin,	Humphreys,	Sea,
Cox, A. H.	Imboden,	Terrill,
Cox, L. B.	Johnson,	Thornton,
Crow,	Jones, J.	Towles,
Dallam,	Kalfus,	Tully,

Desha,	Lair,	Waddill,
Dudley,	Lawless,	Wheat,
Eaker,	Lecompte,	Whitaker—61.
Early,		

Those who voted in the negative, were—

Messrs. Ballinger,	Haskin,	Prewitt,
Clark, J.	Heady,	Root,
Collins,	Hopkins,	Speed,
Corum,	Hughes,	Stanley,
Dickey,	Jones, D. E.	Thruston,
Friend,	Marshall, T.	Todd, J. F.
Gano,	McRery,	Todd, R. S.
Garrard,	Moore,	Triplett,
Glenn,	Parker,	Wright—29.
Harrison,	Porter,	

The Speaker laid before the House the report of the President of the Board of Internal Improvement, which is as follows, viz:

Hon. CHARLES S. MOREHEAD,

Speaker House of Representatives.

SIR: I have the honor to lay before you, for the use of the House of Representatives, a report of the Board of Internal Improvement, which, in addition to other matter, will be found to contain a reply in obedience to a resolution of the House of Representatives of the 7th inst.

With profound respect,

Your obedient servant,

THOMAS METCALFE, P. B. I. I.

January 9th, 1845.

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on Internal Improvement, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to authorize the appointment of a Justice of the Peace and Constable in Whitley county, and for other purposes.

An act for the benefit of Mary Ann Fugate.

An act to allow an additional Justice of the Peace to Johnson county.

Were taken up, twice read, and concurred in.

Bills from the Senate of the following titles, viz:

An act allowing an additional Justice of the Peace and Constable to Johnson county, and for other purposes.

An act to amend an act, entitled, an act reducing into one the several acts for apprehending and securing runaways, approved January 16, 1798.

An act providing for a change of venue in the prosecution against Hiram B. Pearce.

An act to amend an act, entitled, an act to amend the charter of Cumberland College, approved February 16, 1838, and the act approved February 18, 1841.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

An engrossed bill, entitled, an act to amend the act incorporating the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844, was read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Ways and Means—1. A bill for the benefit of John Cunningham.

By the committee on Claims—2. A bill for the benefit of Lois Smallwood,
By same—3. A bill for the benefit of Frances Bledsoe.

By the committee for Courts of Justice—4. A bill for the benefit of John C. Waggoner, and the heirs of George Munday.

By Mr. Shacklett—5. A bill to regulate the weight of grain.

By Mr. Leslie—6. A bill to amend the jury laws.

By same—7. A bill for the benefit of William Butler, of Monroe county.

By Mr. Crow—8. A bill to repeal an act, entitled, an act establishing an election precinct in Butler county.

By Mr. Lair—9. A bill to allow an additional Constable to Pulaski county.

By Mr. Dickey—10. A bill to increase the jurisdiction of magistrates.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 4th, 7th and 9th were severally ordered to be engrossed and read a third time; the 5th was referred to the committee on Agriculture and Manufactures; the 6th to the committee on Ways and Means; the 8th to Messrs. Burnam, Lawless, J. F. Todd and Moore, and the 10th to the committee for Courts of Justice.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 4th, 7th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Gore—1. A bill for the benefit of Margaret Mitchell.

On motion of Mr. Gale—2. A bill to revive the law concerning the town of New Liberty, approved 27th February, 1844.

On motion of Mr. Crow—3. A bill to amend the militia laws.

On motion of Mr. Lair—4. A bill defining more particularly the duties of Constables and Sheriffs in certain cases.

On motion of same—5. A bill allowing compensation to Justices of the Peace for certain services.

On motion of same—6. A bill allowing Hiram Begley further time to collect his tax and fee bills in the bounds of Perry county, at the time he was Sheriff.

On motion of Mr. Cleaveland—7. A bill for the benefit of Lintchfield Sharp.

On motion of Mr. Gano—8. A bill for the further improvement of the Lexington, Georgetown and Covington road.

On motion of Mr. R. B. Gray—9. A bill to add an additional Justice of the Peace to the county of Trimble.

On motion of Mr. Glenn—10. A bill to explain and amend the law establishing the Police Court of the City of Louisville, and amendments thereto, and for other purposes.

On motion of Mr. Burnam—11. A bill to repeal an act repealing in part and amending an act, entitled, an act regulating the time of holding Justices' Courts.

On motion of Mr. L. B. Cox—12. A bill to establish a seperate chancery term in the county of Washington.

Ordered, That the committee on Claims prepare and bring in the 1st; the committee on Propositions and Grievances the 2d and 7th; the committee on Military Affairs the 3d; the committee for Courts of Justice the 4th, 5th and 12th; Messrs. Lair, Garrard, McRery and Nuckolls the 6th; the committee on Internal Improvement the 8th; Messrs. R. B. Gray, Thruston and Speed the 9th; the committee on Ways and Means the 10th, and Messrs. Burnam, Collins and Sea the 11th.

And then the House adjourned.

FRIDAY, JANUARY 10, 1845.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed bills and a resolution which originated in the Senate, of the following titles, viz:

An act for the benefit of Isaiah Heston, late Sheriff of Breckinridge county.

An act to change the name of Catharine Sherwood Walton Wooldridge.

Approved January 8, 1845.

An act for the benefit of Robert and Mary Price.

An act to extend the charter of the Bank of the Commonwealth of Kentucky.

Resolutions to appoint a joint committee to examine Transylvania University and the Lunatic Asylum. Approved January 9, 1845.

That they had concurred in preamble and resolutions from this House, in relation to the rates of postage--with an amendment.

That they had passed bills from this House, of the following titles, viz:

An act to change the place of voting in an election precinct in Whitley county.

An act to change the name of Henry Harrison Fraley, and for other purposes.

An act to permit Julia Ann Keedy to import certain slaves into this Commonwealth.

An act requiring a list of the members of Fire Engine and Hose Companies, of the City of Covington, to be reported to the Clerk of the Kenton Circuit Court.

An act to reduce the price of vacant lands in Laurel county.

An act to reduce the price of vacant lands in Lawrence and Carter counties.

An act to incorporate the town of Blandville.

That they had passed bills of the following titles, viz:

An act providing for a change of venue in the prosecution against Samuel C. Snyder.

An act for the benefit of the Sheriff of Grant county.

An act for the benefit of the Floyd Circuit Court Clerk.

An act to change the place of voting in the Donalson precinct, in Caldwell county.

An act to provide certain Justices of the Peace of Johnson county with Morehead and Brown's Digest.

1. Mr. Shanklin presented the petition of John Lafon, praying the passage of a law authorizing his infant son to convey a tract of land.

2. Mr. Burnam presented the petition of John Mitchell, praying that compensation be allowed him for injuries to his mill on Barren river, by slackwater.

3. Also, the petition of sundry citizens of Warren county, praying that provision be made for the extension of slackwater navigation on Green and Barren rivers.

4. Mr. Hobbs presented the petition of Robert Carothers, praying that compensation be made him for a slave taken from him under a demand from the Governor of South Carolina.

5. Mr. Triplett presented the petition of Ellen Highfield, praying to be divorced from her husband, William Highfield.

6. Mr. Thornton presented the petition of Susan Garnett, praying to be divorced from her husband, James H. Garnett.

7. Mr. Johnson presented the petition of sundry citizens of Daviess county, praying the passage of a law permitting the County Court of said county to lease out a part of the public grounds belonging to the county for the erection thereon of a Church and Masonic Hall.

8. Mr. Prewitt presented the petition of David R. Gist, guardian of Susan R. Gist, praying the passage of a law legalizing a purchase of land made by him for his ward.

Which were received, the reading thereof dispensed with, (except the 2d, which was read,) and referred—the 1st and 8th to the committee for Courts of Justice; the 2d and 3d to the committee on Internal Improvement; the 4th to the committee on Claims; the 5th and 6th to the committee on Religion, and the 7th to Messrs. Johnson, McRery, Stanley and Bradley.

Mr. Grigsby, from the committee on Propositions and Grievances, to whom was referred a bill the better to define the western and southern limits of the City of Louisville, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardy, from the committee on Religion, to whom was referred the petition of Job Hobbs, and the petition of Fortunati Batestasia, reported the same with the following resolution, viz: -

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Heady, from the committee on Military Affairs, to whom was referred the petition of sundry citizens of Gallatin county; the petition of the officers of the 129th Regiment Kentucky Militia, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Grigsby, from the committee on Propositions and Grievances, to whom was referred leave to bring in the following bills, viz:

A bill to abolish two election precincts in Lawrence county.

A bill to abolish a precinct in Clinton county.

A bill to abolish the Blackwater election precinct in Morgan county.

Asked to be discharged from the further consideration thereof, which was granted.

Mr. R. S. Todd, from the committee on Ways and Means, to whom was referred leave to bring in the following bills, viz :

1. A bill for the benefit of the Sheriff of McCracken county.
2. A bill for the benefit of William Hampton, of Greenup county.
3. A bill for the benefit of William B. Carlisle and Archy S. Lewis, deputy Sheriffs for Samuel Faulkner, former Sheriff of Green county.

Asked to be discharged from the further consideration of the 1st and 2d, and that the 3d be referred to Messrs. Barnett, Towles and R. S. Todd; which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to change an election precinct in the county of Perry, and for other purposes.

By same—2. A bill to allow an additional Justice of the Peace to the county of Greenup.

By the committee for Courts of Justice—3. A bill for the benefit of James Venable, of Shelby county.

By same—4. A bill to amend the laws in relation to chancery proceedings so as to facilitate the preparation and trial of chancery causes.

By same—5. A bill for the benefit of George O. Thompson.

By same—6. A bill allowing two additional Justices of the Peace to Caldwell county.

By same—7. A bill to authorize the young men of Russellville to have a Thespian Society without license.

By same—8. A bill for the benefit of the widow and heirs of Morris Tudor, deceased.

By same—9. A bill for the benefit of Nancy and Robert W. Lowry, Jr.

By same—10. A bill to provide for a change of venue in the prosecution against Addison, a slave.

By the committee on Religion—11. A bill for the benefit of Ann M. Prewitt.

By the committee on Ways and Means—12. A bill for the benefit of Daniel Bailey.

By same—13. A bill to amend the charters of the cities of Louisville and Covington.

By Mr. Wheat—14. A bill for the benefit of David Janes and his wife.

By same—15. A bill to change the election precinct at James Butler's, in Adair county, to John S. Coleman's, in said county.

By Mr. Hopkins—16. A bill to amend the several acts in relation to mortgages and deeds of trust.

By Mr. Terrill—17. A bill for the benefit of Abel Morgan.

By Mr. Bowman—18. A bill to allow two additional Justices of the Peace to Casey county, and for other purposes.

By Mr. Garrard—19. A bill for the benefit of Hiram Begley.

By Mr. Johnson—20. A bill to legalize the appointment of Benjamin Al-sop, Constable of Daviess county.

By Mr. W. J. Clark—21. A bill to legalize the proceedings of the Estill County Court, held in October, 1844.

By Mr. Eaker—22. A bill for the benefit of L. B. Stark.

By Mr. Salter—23. A bill to amend the law in relation to the emancipa-tion of slaves.

By Mr. J. Jones—24. A bill to establish an addtional election precinct in Harlan county.

By Mr. Hobbs—25. A bill to amend the militia laws, and to increase the School Fund in certain counties.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 19th, 20th, 21st, 22d and 24th were sev-erally ordered to be engrossed and read a third time; the 4th, together with the amendment proposed by Mr. Runyon, was referred to a committee of the whole House and made the special order of the day for Wednesday, the 15th inst., and the 16th, 17th, 18th, 23d and 25th were referred to the committee for Courts of Justice.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 19th, 20th, 21st, 22d and 24th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as afore-said.

Ordered, That the Public Printer forthwith print 150 copies of the 4th bill, and the amendment proposed, for the use of the members of the Gener-al Assembly.

Mr. Haggard moved the following resolution, viz:

Resolved, That the committee on Education be requested to take into consideration the propriety of dispensing with the services of the Superin-tendent of Public Instruction, in this Commonwealth.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wheat—1. A bill for the benefit of William Berry and his wife, Mary Berry, of Adair county.

On motion of Mr. Sea—2. A bill to amend the jury law.

On motion of Mr. Kalfus—3. A bill to amend the law in relation to the payment of assessors of taxable property.

On motion of Mr. Lawless—4. A bill to amend an act, entitled, an act to amend the law concerning slaves, and for other purposes, approved January 28, 1830.

On motion of same—5. A bill to change the 8th and 18th Judicial Districts.

On motion of Mr. Hardy—6. A bill requiring certain duties of the Commissioners of Tax and County Court Clerks.

On motion of same—7. A bill regulating certain duties of Clerks.

On motion of Mr. Brasher—8. A bill to reduce the number of Justices of the Peace in Boone county to fifteen.

On motion of Mr. Carter—9. A bill for the benefit of Stephen M. Farris, Jailer of Morgan county.

On motion of Mr. Russell—10. A bill for the benefit of the 6th District of Common Schools in Fayette county.

On motion of Mr. R. S. Todd—11. A bill to amend the charter of the City of Lexington.

On motion of Mr. Friend—12. A bill to amend the penal laws in relation to slaves.

On motion of Mr. Eaker—13. A bill to amend an act, entitled, an act regulating elections, approved December 21, 1799.

On motion of Mr. Hendrix—14. A bill for the relief of bona fide occupants of lands.

On motion of Mr. Barnett—15. A bill for the benefit of Edward Lewis, Sheriff of Green county.

On motion of same—16. A bill to amend the law in relation to the relinquishment of dower before Justices of the Peace.

On motion of Mr. J. Jones—17. A bill to repeal the law declaring Stinking creek a navigable stream.

Ordered, That Messrs. Wheat, Triplett and Leslie prepare and bring in the 1st; Messrs. Sea, Hardy and Burnam the 2d; the committee on Ways and Means the 3d, 6th and 15th; Messrs. Lawless, Ewing, Leslie and J. F. Todd the 4th; Messrs. Lawless, Leslie, Barnett and Hardy the 5th; the committee for Courts of Justice the 7th, 11th, 12th and 16th; Messrs. Brasher, Root and Ballingal the 8th; Messrs. Carter, Mason, Sea and Hardy the 9th; the committee on Education the 10th; the committee on Privileges and Elections the 13th; Messrs. Hendrix, Osborn, Friend and Garrard the 14th, and the committee on Internal Improvement the 17th.

The Speaker appointed Messrs. Glenn, Root, Hays, Kalfus and Harrison a committee to visit Transylvania University and the Lunatic Asylum.

The House, according to order, resolved itself into a committee of the

whole House, on the bill exempting certain property from execution, and the amendment proposed as a substitute for said bill, by Mr. Lawless—Mr. Ford in the Chair—and after some time spent therein, the Speaker resumed the chair, when Mr. Ford reported that the committee had, according to order, had under consideration the bill and amendment aforesaid, and had instructed him to report the same to the House, which he handed in at the Clerk's table.

Ordered, That said bill and amendment be referred to Messrs. Hardy, Lawless, Hobbs, Speed, T. Marshall, Stone and Triplett.

A message was received from the Senate, by Mr. James, announcing the passage of a bill from this House, entitled, an act to establish the county of Fulton.

And then the House adjourned.

SATURDAY, JANUARY 11, 1845.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to amend the penal laws.

That they had passed bills from this House of the following titles, viz:

An act for the relief of Ishmael C. Sutton, Constable of Ohio county.

An act for the benefit of Amelia M. Hamilton, and for other purposes.

An act for the benefit of Susan M. Wilson.

An act for the benefit of Isaac Johnson and others.

An act authorizing Maria Jane Pottinger to confirm the sale of a slave made by her guardian, George W. Pottinger.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act providing for a change of venue in the prosecution against Joseph N. Allen.

An act to change the name of the town of Breathitt.

1. Mr. Kalfus presented the petition of Sarah Applegate, praying to be divorced from her husband, Jesse H. Applegate.

2. Mr. Gore presented the petition of sundry citizens of Nelson county, praying a repeal of the act of last session, for the benefit of Lucy and John Hackley, free persons of color, and for the passage of another act for the benefit of the children of said John Hackley, who has since departed this life.

3. Mr. Anthony presented the petition of sundry citizens of Allen county, praying the passage of a law permitting Jonathan Davis to import into this State a slave.

4. Mr. Stanley presented the petition of sundry citizens of Henderson county, praying the passage of a law changing the place of voting in an election precinct in said county.

5. Also, the remonstrance of sundry citizens of said county, against the proposed change in the place of voting in said precinct.

Which were severally received, the reading thereof dispensed with, and referred—the 1st to the committee on Religion; the 2d to the committee for Courts of Justice; the 3d to Messrs. Anthony, Ford, Burnam and Hardy, and the 4th and 5th to the committee on Privileges and Elections.

Mr. McHenry, from the committee for Courts of Justice, to whom was referred a bill from the Senate, entitled, an act to authorize the Trustees of Taylorsville to close a part of Water street, and for other purposes, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred a bill to repeal the first section of an act limiting the number of Justices of the Peace in the county of Wayne, and for other purposes, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McHenry, from the same committee, to whom was referred leave to bring in a bill for the benefit of the Sheriffs of Marshall and Calloway counties, asked to be discharged from the further consideration of the same, and that the leave be referred to the committee on Ways and Means, which was granted.

Mr. McHenry, from the same committee, to whom was referred a bill for the benefit of Frederick Nance, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Frederick Nance, of the county of Clay, be, and he is hereby authorized, to bring into this State two negro boys, by the names of Lewis and Shepherd, without incurring the penalties of the law of 1833, prohibiting the importation of slaves into this Commonwealth: provided, he shall,

within thirty days after introducing said slaves, file and caused to be entered on the order book of the County Court of Clay county, his affidavit describing said negroes, and that he intends to keep them for his own use.

Mr. Glenn proposed the following amendment as a substitute for said bill, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That from and after the passage of this act, the citizens of this Commonwealth shall be, and they are hereby, allowed to bring into this State, from any one of the States of this Union, any slave or slaves for his or her own use, provided the person or persons bringing in said slaves shall, within thirty days thereafter, make oath, before the Clerk of the county in which he or she lives, that the said slave or slaves was brought for his or her own private use and benefit, and not as merchandize or for speculation; and, also, make out a true list of the name, age, color, and sex, of every such slave, and make affidavit, before said Clerk, that the same contains a true and correct list of the said slave or slaves so brought in, and that from the best information he, she or they have, the said slave or slaves are of good character and were not purchased of a negro trader: a copy of said list and affidavit shall be recorded by said Clerk, in the County Court Clerk's office of said county, who shall receive one dollar for each slave embraced therein—twenty per cent. of which the said Clerk shall retain for his own use, the balance to be paid to the jury fund.

SEC. 2. *Be it further enacted,* That if any person or persons bringing in such slaves shall sell, within the State, any such slave or slaves within six years after bringing said slave or slaves into this State, or shall make any contract during said time for the sale of said slave, or shall hire out, for a term of years, with the intent to evade this act, or shall use any device whatever to evade the same, by hiring, selling, or otherwise, that the person or persons, so acting, shall, for each and every offence, and for each slave so sold, be subject to all the penalties denounced by the law of 1833, prohibiting the importation of slaves into this Commonwealth.

SEC. 3. *Be it further enacted,* That if any person or persons shall buy any such slave or slaves, knowing the same to have been imported within the said term of six years, that he, she or they, for each slave so purchased, shall pay and forfeit the sum of five hundred dollars.

SEC. 4. That if any person shall falsely take the above oath, that he shall be deemed guilty of perjury, and shall be subject to indictment; and upon the proof thereof, shall undergo confinement in the jail and penitentiary of this State, for a term not less than one, nor more than four years.

SEC. 5. That no slave or slaves, so imported, shall be subject to execution within the said term of six years, until all the personal property of the defendant in execution, which is now subject, is first sold: should the defendant suffer any such slave to be sold, when he has other property liable, within the said time, or should the Sheriff, or his deputies, sell the same, knowing that said slave is imported and when there is other property within his knowledge liable, they, and each of them, shall be subject to a fine of five hundred dollars for each slave so sold, or permitted to be sold, recoverable by action of debt or indictment.

SEC. 6. That if any person, being owner of slaves in this Commonwealth, shall import other slaves, as aforesaid, they shall not be permitted to sell,

within this Commonwealth, any of his, her or their old stock of slaves during the term of six years, aforesaid, under a penalty of five hundred dollars for each and every slave sold.

SEC. 7. That all acts that come within the purview of this act be, and the same is hereby, repealed.

Mr. Root moved to lay said bill and substitute on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and McHenry, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker,	Gray, W. M.	McHenry,
Messrs. Ballinger,	Grigsby,	Porter,
Bowman,	Hardy,	Root,
Brasher,	Harris,	Runyon,
Burnam,	Haskin,	Salter,
Clark, W. J	Hays,	Shanklin,
Cleavland,	Hendrix,	Shawhan,
Collins,	Hobbs,	Speed,
Cox, A. H.	Hopkins,	Stanley,
Cox, L. B.	Humphreys,	Terrill,
Crow,	Imboden,	Thornton,
Dallam,	Johnson,	Todd, R. S.
Desha,	Jones, D. E.	Triplett,
Ford,	Jones, J.	Tully,
Gale,	Kalfus,	Waddill,
Gano,	Lawless,	Whitaker,
Gore,	Mason,	Wright—52.
Gray, R. B.		

Those who voted in the negative, were—

Messrs. Anthony,	Eaker,	Leslie,
Ballinal,	Early,	Marshall, T.
Barnett,	Ewing,	McRery,
Beard,	Friend,	Moore,
Bradley,	Garrard,	Nuckolls,
Brown,	Glenn,	Osburn,
Carter,	Haggard,	Prewitt,
Cessna,	Hambleton,	Shacklett,
Chesnut,	Harrison,	Sterett,
Clark, J.	Heady,	Sea,
Copelin,	Hughes,	Todd, J. F.
Corum,	Lair,	Towles,
Dickey,	Lecompte,	Wheat—40.
Dudley,		

Mr. McHenry, from the same committee, to whom was referred the petition of Benjamin Leavell, and the petition of Joseph G. McClelland, reported the same with the following resolution:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to establish the county of Fulton.

An act to change the name of Martha Stewart Whitecotton.

An act to incorporate the town of Benton, and for other purposes.

An act to amend an act, entitled, an act to add a part of Adair county to Casey county.

An act for the benefit of mechanics and others of Bowlinggreen.

An act for the benefit of the mechanics of Bardstown and Nelson county.

An act allowing an additional Justice of the Peace to Greenup county.

An act to allow an additional Justice of the Peace to Johnson county, and for other purposes.

An act to reduce the price of vacant lands in Laurel county.

An act to authorize the appointment of a Justice of the Peace and Constable in Whitley county, and for other purposes.

An act for the benefit of Mary Ann Fugate and Thomas Sexton.

Resolutions in relation to the erection of a Marine Hospital at Paducah.

Resolution appointing a joint committee to revise the common school laws.

And bills which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled, an act to amend the charter of Cumberland College, approved February 16, 1838, and the act approved February 18, 1841.

An act to amend an act, entitled, an act reducing into one the several acts for apprehending and securing runaways, approved January 16, 1798.

An act allowing an additional Justice of the Peace and Constable to Johnson county, and for other purposes.

An act providing for a change of venue in the prosecution against Hiram B. Pearce.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

The amendments proposed by the Senate, to a preamble and resolutions from this House, in relation to the rates of postage, were taken up, twice read, and concurred in.

Mr. McHenry, from the committee for Courts of Justice, to whom was referred leave to bring in the following bills, viz:

A bill to amend the law as to pleading partial payment to an action brought on any debt or demand after the same may become due.

A bill to authorize the County Court Clerks to take an affidavit of the age of persons applying for marriage license.

A bill for the benefit of Burnley D. Smith, of Todd county.

A bill for the benefit of Garland Chiles, of Todd county.

A bill for the benefit of Nathan Butler, of Todd county.

A bill for the benefit of Fleming H. Chiles, of Todd county.

A bill for the benefit of securities.

A bill to amend the law regulating the proceedings before Justices of the Peace.

A bill to amend the execution laws.

A bill to authorize the Clerks of the Circuit and County Courts to issue *subpoena duces tecum* without special order of Court.

Asked to be discharged from the further consideration thereof, which was granted.

Mr. Shanklin moved the following resolution, viz:

Resolved, That the committee for Courts of Justice be instructed to enquire into the expediency and propriety of revising, reducing and re-organizing the Judicial Districts of this Commonwealth, and that they report by bill or otherwise.

Which was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Claims—1. A bill to extinguish the rent and title of the City of Lexington to the Railroad Depot and Warehouse.

By the committee for Courts of Justice—2. A bill for the benefit of James Angel.

By same—3. A bill providing for a change of venue in the prosecution pending in the Jefferson Circuit Court, against Paschal D. Craddock, for perjury.

By same—4. A bill to amend the statute of limitation on merchants' accounts.

By same—5. A bill for the benefit of Isaac Bolt.

By the committee on Ways and Means—6. A bill requiring certain duties of the Commissioners of Tax and County Court Clerks, before the County Court shall receive the Commissioners' books.

By Mr. Speed—7. A bill to compensate persons whose property may be injured by mobs or riots in the City of Louisville.

By Mr. Cessna—8. A bill for the benefit of the widows of Larue county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of the 1st, 4th, 5th, 6th, 7th and 8th bills having been dispensed with, the 1st and 7th were referred to the committee for Courts of Justice, and the 4th, 5th, 6th and 8th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the

4th, 5th and 6th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act authorizing Maria Jane Pottinger to confirm the sale of a slave made by her guardian, George W. Pottinger.

An act for the benefit of Isaac Johnson and others.

An act for the benefit of Susan M. Wilson,

Were taken up, twice read, and concurred in.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of the Sheriff of Grant county.

2. An act for the benefit of the Floyd Circuit Court Clerk.

3. An act providing for a change of venue in the prosecution against Samuel C. Snyder.

4. An act to provide certain Justices of the Peace of Johnson county with Morehead and Brown's Digest.

5. An act to change the place of voting in the Donalson precinct, in Caldwell county.

6. An act to change the name of the town of Breathitt.

7. An act providing for a change of venue in the prosecution against Joseph N. Allen.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, they were severally ordered to be read a third time, except the 7th, which was referred to the committee for Courts of Justice.

The rule of the House, constitutional provision and third reading of said bills (except the 7th) having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill for the benefit of Frances Bledsoe, was read a second time.

Ordered, That said bill be engrossed and read a third time.

Mr. Hobbs, from the committee appointed to prepare and bring in the same, reported a bill the better to protect the purity of elections, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

Mr. Desha proposed an amendment to said bill.

Ordered, That said bill and amendment be referred to the committee for Courts of Justice.

Mr. Speed asked leave to bring in a bill to incorporate the St. Cecelia Society of Louisville, which was granted.

Ordered, That he committee for Courts of Justice prepare and bring in the same.

And then the House adjourned.

MONDAY, JANUARY 13, 1845.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act for the benefit of the Methodist Episcopal Church in Elkton.

An act for the benefit of John Vickers.

An act for the benefit of Aquilla Hoskins.

An act to change a precinct in Harlan county.

An act to establish an additional election precinct in Hopkins county.

An act to establish an election precinct in the county of Pike.

An act for the benefit of John C. Wagoner and the heirs of George Munday.

An act for the benefit of William Butler, of Monroe county.

An act to allow an additional Constable to Pulaski county.

An act to incorporate the Trustees of the Centre Point Meeting House, in Monroe county.

An act to prevent fraud in the sale of salt.

An act to incorporate the Trustees of the Tompkinsville Old School Presbyterian Church, in Monroe county.

With amendments to the three last named bills.

That they had passed a bill, entitled, an act permitting James Johnson to erect a mill dam across the Middle Fork of the Kentucky river.

1. Mr. Cleaveland presented the petition of sundry citizens of Pendleton county, praying the passage of a law allowing John W. Whitaker, collector of militia fines in said county, to return his list of delinquents which he has failed to make out and return at the proper time.

2. Mr. Prewitt presented the petition of sundry citizens of Montgomery county, praying a change in the place of voting in an election precinct in said county.

3. Mr. R. S. Todd presented the petition of Elisha Warfield, praying the passage of a law refunding to him, as a stockholder of the Farmers' and Mechanics' Bank of Lexington, the amount paid to the State by said Bank as a bonus.

4. Mr. Speed presented the petition of James C. Johnson, praying the passage of a law exempting him from the payment of taxes to the City of Louisville on a tract of land adjoining said city.

5. Mr. Chesnut presented the petition of Jacob Hackney, praying to be permitted to vend merchandize, as a pedler, without license.

6. Mr. Collins presented the petition of John B. McIlvain, praying the passage of a law releasing to him any right which the State has acquired by escheat to a certain tract of land.

7. Mr. J. Clark presented the remonstrance of sundry citizens of Caldwell county, against the establishment of a new county out of parts of said county and the counties of Hopkins, Union and Crittenden.

8. Mr. Glenn presented the petition of Thomas Cross, praying permission to bring into this State certain slaves.

Which were severally received, the reading thereof dispensed with, and referred—the 1st to the committee on Military Affairs; the 2d, 4th and 7th to the committee on propositions and Grievances; the 3d and 5th to the committee on Claims; the 6th to the committee for Courts of Justice, and the 8th to Messrs. Glenn, Ewing and Hobbs.

Mr. Ewing, from the committee for Courts of Justice, to whom was referred a bill to allow two additional Justices of the Peace to the county of Casey, and for other purposes, reported the same with amendments, which were concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act to change the name of Martha Stewart Whitecotton.

An act to incorporate the town of Benton, and for other purposes.

An act to reduce the price of vacant lands in Laurel county.

An act to allow an additional Justice of the Peace to Johnson county, and for other purposes.

An act allowing an additional Justice of the Peace to Greenup county.

An act for the benefit of the mechanics of Bardstown and Nelson county.

An act for the benefit of mechanics and others of Bowlinggreen.

An act to amend an act to add a part of Adair county to Casey county, approved January 29, 1844.

Approved January 11, 1845.

Mr. Ewing, from the committee for Courts of Justice, to whom was referred a bill to amend the laws upon the subject of pedlers, and the substitute for the same, reported said bill and substitute without amendment.

Ordered, That said bill and substitute be referred to the committee of Ways and Means.

Mr. Ewing, from the same committee, to whom was referred a bill for the benefit of Abel Morgan, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative, and so said bill was rejected.

Mr. Triplett, from the same committee, reported a bill to take the sense of the people of this Commonwealth as to the expediency and propriety of calling a Convention to revise the Constitution of this State.

Which was read the first time as follows, viz:

WHEREAS, it is represented to this General Assembly, that many of the good citizens of the State of Kentucky do verily believe that experience has pointed out the necessity of amending the Constitution thereof: therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the Sheriffs and others, returning officers of this State, at the next general election which shall be held for Representatives, after the passage of this law, to open a poll for, and make a return to the Secretary, for the time being, of the names of all those persons entitled to vote for Representatives, who have voted for the calling of a Convention, in such manner and form as is prescribed by the Constitution.

SEC. 2. *Be it further enacted*, That any Sheriff failing to perform his duty, according to the provisions of the first section of this act, shall be subject to a fine of six hundred dollars, to be recovered by action of debt, by any person suing for the same, in any Court having jurisdiction thereof; and also be subject, upon conviction of such failure, to removal from office.

SEC. 3. *Be it further enacted*, That it shall be the duty of the several Sheriffs of this Commonwealth to read, or cause to be read, this act, at their several places of voting in their respective counties, at the opening of the polls on each day of the next annual election; and in case of failure to do so, the said officer shall be liable and subject to the same penalties which are prescribed in the second section of this act for failing to perform his duty according to the provisions of the first section of this act.

SEC. 4. *Be it further enacted*, That the Public Printer shall, upon a separate leaf or sheet, print fifteen hundred copies of this act, and furnish them to the Secretary of State, who shall send to each county in the State, at the time of forwarding the acts of Assembly, to the Clerk's office of the County Court of each county, fifteen of these copies; and the Secretary shall take a receipt of the carriers thereof, who shall take the receipt of the respective Clerks to whom they may deliver them; and the respective Clerks, to whom he may deliver them, shall deliver them to the High Sher-

iff of their respective counties, and take his receipt for the same—a copy of which act shall be by him delivered to each of his deputies, to be by them read at their several precincts, as required by this act.

Mr. Hays moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Stone, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Cox, L. B.	Hobbs,
Messrs. Anthony,	Crow,	Hughes,
Ballinger,	Dallam,	Johnson,
Barnett,	Dickey,	Jones, D. E.
Beard,	Ewing,	Kalfus,
Brown,	Ford,	Osburn,
Burnam,	Gale,	Porter,
Cessna,	Gore,	Shawhan,
Chesnut,	Gray, W. M.	Stanley,
Clark, W. J.	Grigsby,	Todd, R. S.
Cleaveland,	Hambleton,	Tully,
Collins,	Harris,	Waddill,
Corum,	Hays,	Whitaker,
Cox, A. H.	Heady,	Wright—42.

Those who voted in the negative, were—

Messrs. Ballingal,	Haggard,	Mason,
Bowman,	Hardy,	Moore,
Bradley,	Harrison,	Nuckolls,
Brasher,	Haskin,	Prewitt,
Carter,	Hendrix,	Root,
Clark, J.	Hopkins,	Runyon,
Copelin,	Humphreys,	Shacklett,
Dudley,	Imboden,	Speed,
Eaker,	Jones, J.	Sterett,
Early,	Lair,	Stone,
Friend,	Lawless,	Terrill,
Garrard,	Lecompte,	Towles,
Glenn,	Leslie,	Triplett,
Graves,	Marshall, T	Wheat—43.
Gray, R. B.		

Mr. Speed moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill be read a second time? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Speed and Haggard, were as follows:

Those who voted in the affirmative, were—

Messrs. Anthony,	Gray, R. B.	Marshall, T.
Ballingal,	Haggard,	Mason,
Bowman,	Hardy,	Moore,
Bradley,	Harrison,	Nuckolls,
Brasher,	Haskin,	Root,
Carter,	Hendrix,	Runyon,
Clark, J.	Hughes,	Shacklett,
Copelin,	Humphreys,	Speed,
Dudley,	Imboden,	Sterett,
Eaker,	Johnson,	Stone,
Early,	Jones, J.	Terrill,
Friend,	Lair,	Towles,
Garrard,	Lawless,	Triplett,
Glenn,	Lecompte,	Wheat—44.
Graves,	Leslie,	

Those who voted in the negative, were—

Mr. Speaker,	Dallam,	Kalfus,
Messrs. Ballinger,	Dickey,	McRery,
Barnett,	Ewing,	Osburn,
Beard,	Ford,	Porter,
Brown,	Gale,	Prewitt,
Burnam,	Gano,	Shanklin,
Cessna,	Gore,	Shawhan,
Chesnut,	Gray, W. M.	Stanley,
Clark, W. J.	Grigsby,	Todd, J. F.
Cleaveland,	Hambleton,	Todd, R. S.
Collins,	Harris,	Tully,
Corum,	Hays,	Waddill,
Cox, A. H.	Heady,	Whitaker,
Cox, L. B.	Hobbs,	Wright—44.
Crow,	Jones, D. E.	

And so said bill was rejected.

Mr. R. S. Todd, from the committee on Ways and Means, to whom was referred a bill to amend the Jury laws, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative and so said bill was rejected.

Mr. Ford, from the committee on Agriculture and Manufactures, to whom was referred a bill to regulate the weight of grain, reported the same without amendment.

Ordered, That said bill be re-committed to said committee.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to incorporate the Trustess of the Tompkinsville Old School Presbyterian Church, in Monroe county.

An act to incorporate the Trustees of the Centre Point Meeting House, in Monroe county.

An act to prevent fraud in the sale of salt.

Were taken up, twice read, and concurred in.

A bill from the Senate, entitled, an act permitting James Johnson to erect a mill dam across the Middle Fork of the Kentucky river, was read a first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on Internal Improvement.

An engrossed bill, entitled, an act for the benefit of the widows of Larue county, was read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill for the benefit of James Angel, was read the second time.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee for Courts of Justice—1. A bill to regulate certain duties of Clerks.

By same—2. A bill for the benefit of David R. Gist, of Clarke county.

By same—3. A bill for the benefit of William H. Richardson.

By the committee on Military Affairs—4. A bill to legalize the proceedings of the 45th Regiment of Kentucky Militia.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Ford, from the committee on Agriculture and Manufactures, reported a bill for the benefit of the wool growers of this Commonwealth, which was read the first time as follows, viz:

WHEREAS, it has been represented to the present General Assembly of the Commonwealth of Kentucky, that the wool growers of this Common-

wealth are greatly annoyed by the destruction of lambs by wild cats: and whereas, it is the opinion of the present General Assembly that the growing of wool is of vast importance—therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of April next, a reward of fifty cents shall be allowed for each wild cat caught and killed in this Commonwealth; and all persons entitled to reward under this act shall proceed to establish their claims in the same manner, and receive their pay in the same way, as prescribed by the laws of this Commonwealth now in force in relation to wolves.

And the question being taken on ordering said bill to be read a second time, it was decided in the negative, and said bill was rejected.

The yeas and nays being required thereon by Messrs. Mason and Kalfus, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Friend,	McRery,
Messrs. Ballingal,	Gale,	Moore,
Barnett,	Garrard,	Osburn,
Beard,	Graves,	Runyon,
Bradley,	Haggard,	Shawhan,
Cessna,	Hendrix,	Speed,
Chesnut,	Hobbs,	Stone,
Clark, J.	Hughes,	Terrill,
Clark, W. J.	Humphreys,	Todd, R. S.,
Copelin,	Imboden,	Towles,
Corum,	Jones, J.	Tully,
Eaker,	Lair,	Whitaker,
Early,	Marshall, T.	Wright—41.
Ford,	Mason,	

Those who voted in the negative, were—

Messrs. Anthony,	Gano,	Lawless,
Ballinger,	Gore,	Lecompte,
Bowman,	Gray, R. B.	Leslie,
Brasher,	Gray, W. M.	Nuckolls,
Brown,	Grigsby,	Porter,
Burnam,	Hambleton,	Prewitt,
Carter,	Hardy,	Root,
Cleaveland,	Harris,	Shacklett,
Collins,	Harrison,	Shanklin,
Cox, A. H.	Haskin,	Stanley,
Cox, L. B.	Hays,	Sterett,
Crow,	Heady,	Todd, J. F.
Dallam,	Hopkins,	Triplet,
Dickey,	Johnson,	Waddill,
Dudley,	Jones, D. E.	Wheat—47.
Ewing,	Kalfus,	

And then the House adjourned.

TUESDAY, JANUARY 14, 1845.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled, an act to amend the charter of Cumberland College, approved February 16, 1838, and the act approved February 18, 1841.

An act to amend an act, entitled, an act reducing into one the several acts for apprehending and securing runaways, approved January 16, 1798.

An act providing for a change of venue in the prosecution against Hiram B. Pearce.

An act allowing an additional Justice of the Peace and Constable to Johnson county, and for other purposes.

Approved January 11, 1845.

That they had disagreed to a bill from this House, entitled, an act to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

That they had passed bills from this House of the following titles, viz:

An act the better to define the western and southern limits of the City of Louisville, and for other purposes.

An act to change an election precinct in the county of Perry, and for other purposes.

An act allowing an additional Justice of the Peace to the county of Greenup.

An act to change the election precinct held at James Butler's, in Adair county, to John S. Coleman's in said county.

An act to legalize the appointment of Benjamin Alsop, Constable of Daviess county.

An act to legalize the proceedings of the Estill County Court, held in October, 1844.

An act to provide for a change of venue in the prosecution against Addison, a slave.

With an amendment to the last.

That they had passed a bill, entitled, an act for the benefit of Constant A. Wilson, of Logan county.

And had adopted a resolution fixing a day for the election of Public Officers.

1. Mr. Hughes presented the petition of sundry citizens of Crittenden county, praying the passage of a law allowing an additional Justice of the Peace and Constable to said county, and establishing an additional election precinct in said county.

2. Mr. Early presented the petition of Preston C. Berry, praying that compensation be allowed him for taking care of a lunatic.

Which were received, the reading of the 1st dispensed with, and the 2d read and referred—the 1st to the committee on Privileges and Elections, and the 2d to the committee on Claims.

Mr. Grigsby, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Marion county, praying for an election precinct, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Ewing, from the committee for Courts of Justice, to whom was referred a bill to amend the several acts in relation to mortgages and deeds of trust, reported the same without amendment.

Mr. Heady moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Ewing, from the committee for Courts of Justice, to whom was referred the petition of Joseph Rogers and others, and the petition of John Young, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Ewing, from the same committee, to whom was referred a bill to amend the militia laws, and to increase the school fund in certain counties, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, all the militia fines which may hereafter be assessed and collected in the counties of Jefferson, Oldham and Mason, and City of Louisville, by the several Sheriffs thereof, shall, after deducting ten per cent. for collecting and paying over the same, be paid as follows: first, all claims regularly and properly authenticated and certified, as prescribed by law, by the proper officers, for the expenses of the several regiments in said city and counties, and the balance to the order of the school commissioners of said counties and city; which shall be applied, by said commissioners, towards supporting the common schools in their respective district: *Provided, however*, That no provision in this act shall in anywise interfere with volunteer companies, or with the Louisville Legion; and the fine for a private or non-commissioned officer, failing to attend any muster in said counties or city, directed by law, shall be only fifty cents for each failure so to muster; unless such private or non-commissioned officer

shall belong to the aforesaid Louisville Legion, or some volunteer company in said counties or city.

Be it further enacted, That the provisions of the foregoing act shall apply to the counties of Wayne and Pulaski.

Mr. Lawless moved to amend said bill by adding thereto the following section, viz:

Be it further enacted, That the provisions of this act shall extend to, and be in force in all the counties in this Commonwealth: *Provided, however,* That in those counties where there is no common schools, the fines shall be applied to lessening the county levy; but whenever common schools are established in any county, the said fines shall be paid to the same.

Mr. Heady moved to lay said bill and amendment on the table for the present.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kalfus and Hobbs, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Ford,	Lecompte,
Barnett,	Graves,	Leslie,
Bowman,	Gray, R. B.	Moore,
Bradley,	Gray, W. M.	Runyon,
Brasher,	Harris,	Russell,
Cessna,	Heady,	Shacklett,
Chesnut,	Hendrix,	Shawhan,
Cleaveland,	Hughes,	Sterett,
Copelin,	Humphreys,	Stone,
Desha,	Imboden,	Towles,
Eaker,	Johnson,	Waddill—35.
Early,	Jones, J.	

Those who voted in the negative, were—

Mr. Speaker,	Gano,	Nuckolls,
Messrs. Ballingal,	Garrard,	Osburn,
Ballinger,	Gore,	Porter,
Beard,	Haggard,	Prewitt,
Burnam,	Hambleton,	Root,
Carter,	Hardy,	Shanklin,
Clark, J.	Harrison,	Speed,
Clark, W. J.	Hays,	Stanley,
Collins,	Hobbs,	Terrill,
Corum,	Hopkins,	Thornton,
Cox, A. H.	Jones, D. E.	Todd, J. F.
Cox, L. B.	Kalfus,	Todd, R. S.
Crow,	Lair,	Triplet,
Dallam,	Lawless,	Tully,
Dickey,	Marshall, T.	Wheat,

Dudley,
Ewing,
Friend,

Mason,
McHenry,
McRery.

Whitaker,
Wright—53.

The amendment proposed by Mr. Lawless was then concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

Mr. Ewing, from the same committee, to whom was referred a bill from the Senate, entitled, an act providing for a change of venue in the prosecution against Joseph N. Allen, reported the same without amendment.

On motion of Mr. Heady the said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills and a preamble and resolutions from this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Isaac Johnson and others.

An act authorizing Maria Jane Pottinger to confirm the sale of a slave made by her guardian, George W. Pottinger.

An act to incorporate the town of Blandville.

An act to change the place of voting in an election precinct in Whitley county.

An act for the benefit of Susan M. Wilson.

An act to change the name of Henry Harrison Fraley, and for other purposes.

An act to permit Julia Ann Keedy to import certain slaves into this Commonwealth.

An act to reduce the price of vacant lands in Lawrence and Carter counties.

An act requiring a list of the members of Fire Engine and Hose Companies, of the City of Covington, to be reported to the Clerk of the Kenton Circuit Court.

An act for the benefit of Amelia M. Hamilton, and for other purposes.

An act for the relief of Ishmael C. Sutton, Constable of Ohio county.

An act for the benefit of William Butler, of Monroe county.

An act to allow an additional Constable to Pulaski county.

An act to establish an additional election precinct in Hopkins county.

An act for the benefit of John C. Wagoner and the heirs of George Munday.

An act to change a precinct in Harlan county.

An act to establish an election precinct in the county of Pike

An act for the benefit of the Methodist Episcopal Church in Elkton.
 An act for the benefit of John Vickers.
 Preamble and resolutions in relation to the rates of postage.
 And bills which originated in the Senate, of the following titles, viz:
 An act to provide certain Justices of the Peace of Johnson county with
 Morehead and Brown's Digest.
 An act for the benefit of the Floyd Circuit Court Clerk.
 An act to change the name of the town of Breathitt.
 An act to change the place of voting in the Donalson precinct, in Cald-
 well county.
 An act for the benefit of the Sheriff of Grant county.
 An act to authorize the Trustees of Taylorsville to close a part of Water
 street, and for other purposes.
 An act providing for a change of venue in the prosecution against Sam-
 uel C. Snyder.
 Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. Dallam inform the Senate thereof.
 The Speaker laid before the House the annual report of the Trustees
 of the Lunatic Asylum, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee appointed to visit
 the Asylum, and that the Public Printer forthwith print 150 copies of
 said report for the use of the members of this House.

The Speaker laid before the House the annual report of the Commissioners
 of the Sinking Fund, which is as follows, viz:

To the General Assembly of Kentucky:

The Commissioners of the Sinking Fund transmit, herewith, their Annual
 Report. WM. OWSLEY, *Chairman.*

January 14, 1845.

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on the Sinking
 Fund, and the Public Printer forthwith print 150 copies of said report for
 the use of the members of the General Assembly.

The Speaker laid before the House the annual report of the Agent of the
 Old Bank of Kentucky, which is as follows, viz:

OLD BANK OF KENTUCKY

Hon. CHARLES S. MOREHEAD,

January 13, 1845.

Speaker House of Representatives.

As the Agent of the Old Bank of Kentucky, I herewith submit the following
 statement for the information of the Legislature.

Debts due to the Institution, \$281,352 52.

Not more than from 4 to \$6000 of this sum will probably be collected,
 the remainder may be considered insolvent.

The nominal amount of real estate is \$185,912 51, a very small amount of this sum may be realised, probably less than \$1000. The loss has been sustained in the purchase and sale of the real estate taken in payment of debts.

Notes of the Bank in circulation, \$30,427. It is not probable that more than \$20 to \$50 will return for redemption; \$39 50 only have been presented and redeemed within the last two years, and \$532 25 since the first day of March, 1836.

I have paid into the Treasury the last year, the sum of \$2000, and since my appointment as Agent, in 1836, the sum of \$30,818 50. I am also paying a dividend to the Stockholders of one half per cent. on each share.

The State has received from me about \$10,600 more on her stock than its estimated value at the time of my appointment, as previously made by the former President and Cashier.

The expenses of the Institution has been less than \$150 per annum. for the last two years, except my commissions of five per cent. for collecting, and which is the only compensation received.

Respectfully,

H. BLANTON, *Agent.*

Ordered, That said report be referred to the committee on the Sinking Fund.

Mr. Triplett moved the following resolution, viz:

Resolved, That when the report of the committee on Religion, on the petition of Eliza Roberts, for a divorce from her husband, Oscar Robert, is presented, the House shall resolve itself into a committee of the whole, to meet at 3 o'clock in the afternoon, and sit two days, if necessary; before which committee the parties shall be heard by their counsel, and that said committee on Religion be required speedily to make their report in this case.

On motion—ordered that said resolution be laid on the table.

Mr. Lair moved the following resolutions, viz:

Resolved, That the committee on Internal Improvement be instructed to inquire—

1st. Whether the several contracts for making graded and turnpike roads in this State, were made under the supervision of the State Board or of the Local Boards?

2d. Was it an Engineer under the State who superintended and made the contracts on the part of the State with the several Contractors, or was it the Engineer employed by the Local Boards.

3d. What amount of stock were the several Contractors on roads bound, by their contracts, to take?

4th. Have Contractors been required, in any way, to take a greater amount of stock in the roads than was stipulated in the contracts?

5th. What obligation rests upon the State to repair that injustice? what legislation, in their opinion, is necessary upon the subject? and that they report by bill or otherwise.

Resolved, That said committee be further instructed to enquire—

1st. How many Local Boards there are upon the several roads?

2d. What salary or pay is allowed the Presidents of the several Local Boards, and what portion is paid from the State, and from what fund? and that they report by bill or otherwise as soon as practicable.

Resolved, further, That said committee enquire if the Board of Internal Improvement have completed the settlements required by the act approved February 27th, 1844, "to authorize a settlement with James R. Skiles, Henry Shanks, Simpson Stout, Dillis Dyer and Stephen Ashby, as agents of the State, for the Improvement of Green and Barren rivers, and whether the necessary steps, as contemplated by said act, have been taken to secure any unexpended balance.

Which were adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee on Propositions and Grievances—1. A bill to revive the act concerning the town of New Liberty, approved 27th February, 1844.

By same—2. A bill for the benefit of Linchfield Sharp.

By the committee for Courts of Justice—3. A bill to allow an additional Constable in Ballard county, and for other purposes.

By same—4. A bill to amend the charter of the City of Lexington.

By Mr. Crow—5. A bill to amend an act, entitled, an act to release to Ohio county the interest of the State in the Hartford Bridge Company.

By Mr. R. B. Gray—6. A bill to allow an additional Justice of the Peace to the county of Trimble.

By Mr. Glenn—7. A bill for the benefit of Thomas Cross.

By Mr. Burnam—8. A bill repealing in part and amending an act approved March 2, 1844.

By Mr. Wheat—9. A bill for the benefit of William Berry and wife, of Adair county.

By Mr. Anthony—10. A bill for the benefit of Jonathan Davis.

By Mr. Lawless—11. A bill to amend an act, entitled, an act to amend the law concerning slaves, and for other purposes, approved January 28th, 1830.

By same—12. A bill to change the 8th and 18th Judicial Districts.

By Mr. Hardy—13. A bill relating to the books of the Surveyor of Barren county.

By Mr. Brasher—14. A bill to reduce the number of Justices of the Peace in the county of Boone.

By Mr. Carter—15. A bill for the benefit of Stephen M. Farrish, Jailer of Morgan county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 6th, 7th, 9th, 14th and 15th were severally ordered to be engrossed and read a third time; the 5th was referred to the committee on Internal Improvement, and the 8th, 11th, 12th and 13th to the committee for Courts of Justice.

The rule of the House, constitutional provision and third reading of the

1st, 2d, 3d, 4th, 6th, 7th, 9th, 14th and 15th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Porter—1. A bill to change the 19th Judicial District.

On motion of Mr. Hobbs—2. A bill to amend the act providing that the estate of persons dying without heirs or distributees shall vest in the Commonwealth, and for other purposes.

On motion of Mr. Ballinger—3. A bill to allow an additional term, in the month of June, to the Lincoln County Court, and for other purposes.

On motion of same—4. A bill to alter the mode of advertising lands to be sold for taxes.

On motion of Mr. Runyon—5. A bill to amend the penal laws of this Commonwealth.

On motion of Mr. Prewitt—6. A bill to define the duties of the Surveyors of the roads in Montgomery county.

On motion of Mr. Haskin—7. A bill for the benefit of William Salyers.

On motion of Mr. Graves—8. A bill to establish a chancery term in Marion county.

On motion of same—9. A bill allowing John Allen to erect a fish dam on the South Fork of Kentucky river.

On motion of same—10. A bill to amend the penal laws of this Commonwealth.

On motion of Mr. Leslie—11. A bill to amend the revenue laws.

On motion of Mr. Collins—12. A bill requiring the Register of the Land Office to record all deeds executed by him for lands sold for taxes.

On motion of Mr. Gore—13. A bill to amend an act, entitled, an act to incorporate the town of Bardstown.

On motion of Mr. Gale—14. A bill for the benefit of the heirs of Joseph Abbott.

On motion of Mr. Triplett—15. A bill for the benefit of the children of Henry O. Byers.

On motion of Mr. Lair—16. A bill for the benefit of certain Justices of the Peace in Grayson county.

On motion of same—17. A bill to allow an additional Justice of the Peace to Marshall county.

On motion of Mr. Gano—18. A bill extending the jurisdiction of the Police Judge and Marshal of the town of Paducah.

On motion of same—19. A bill for the benefit of David A. Sayre.

On motion of Mr. Glenn—20. A bill to change the law upon the subject of proving accounts.

On motion of Mr. Thornton—21. A bill for the benefit of the Woodford Guards Riflemen.

On motion of Mr. L. B. Cox—22. A bill to permit Joseph Moore to sell clocks for one year in the county of Washington, without obtaining license.

On motion of same—23. A bill to change the time of holding the Washington Circuit.

On motion of same—24. A bill to explain the law and further to regulate proceedings before Justices of the Peace in equity, under five pounds.

On motion of Mr. Hopkins—25. A bill for the benefit of Lucy G. Cocke and her infant children.

On motion of Mr. Lawless—26. A bill to amend the revenue laws.

On motion of Mr. Carter—27. A bill for the benefit of Jonathan F. Cessna, Sheriff of Larue county.

Ordered, That Messrs. Porter, Collins and R. S. Todd prepare and bring in the 1st; the committee for Courts of Justice the 2d, 3d, 5th, 7th, 8th, 10th, 14th, 15th, 16th, 17th, 19th, 20th, 23d and 24th; Messrs. Ballinger, Mason, Speed, J. F. Todd, Collins, Russell, Groesbeck and Prewitt the 4th; Messrs. Prewitt, Terrill and D. E. Jones the 6th; the committee on Internal Improvement the 9th; Messrs. Leslie, Lawless, Prewitt, Hardy, Hobbs, D. E. Jones, Haggard, Beard and Wheat the 11th; Messrs. Collins, Hardy and McHenry the 12th; Messrs. Gore, Grigsby and Brown the 13th; Messrs. Gano, Terrill and J. F. Todd the 18th; Messrs. Thornton, Shanklin, R. B. Gray and Sea the 21st; Messrs. L. B. Cox, Triplett, Runyon and Gore the 22d; Messrs. Hopkins, Speed and Runyon the 25th; Messrs. Lawless, Leslie, Burnam, Prewitt, Hobbs and Ewing the 26th; and the committee on Ways and Means the 27th.

Mr. Glenn, from the committee appointed to prepare and bring in the same, reported a bill to modify the law of 1833, prohibiting the importation of slaves.

Which was read the first time as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, the citizens of this Commonwealth shall be, and they are hereby, allowed to bring into this State, from any one of the States of this Union, any slave or slaves for his, her or their own use, provided the person or persons bringing in said slaves, shall, within thirty days thereafter, make oath, before the Clerk of the county in which he or she lives, that the said slave or slaves was brought for his or her own private use and benefit, and not as merchandise or speculation; and, also, make out a true list of the name, age, color, and sex, of every such slave, and make affidavit, before said Clerk, that the same contains a true and correct list of the said slave or slaves so brought in, and that from the best information he, she or they have, the said slave or slaves are of good character and were not purchased of a negro trader: a copy of said list and affidavit shall be recorded by said Clerk, in the County Court Clerk's office of

said county, who shall receive one dollar for each slave embraced therein; twenty five cents for every list and affidavit said Clerk shall retain for his own use, the balance to be paid into the jury fund.

SEC. 2. That if any person or persons bringing slaves into this State, under the first section of this act, shall sell, within the State, any such slave or slaves within six years thereafter, or shall make any contract during said time for the sale of any of said slaves, or shall hire out, for a term of years, with the intent to evade this act, or shall use any device whatever to evade the same, by hiring, selling, or otherwise, that the person so acting or offending, shall, for each and every offence, and for each slave so sold, be subject to all the penalties of the act of 1833, prohibiting the importation of slaves into this State.

SEC. 3. That if any person or persons shall buy any such slave or slaves, knowing the same to have been imported within the term of six years, that he, she, or they, for each slave so purchased, shall forfeit and pay the sum of five hundred dollars.

SEC. 4. That if any person shall falsely take the oath mentioned in the first section of this bill, he shall be deemed guilty of perjury, and upon conviction thereof, shall undergo confinement in the jail and penitentiary of this State, for a term not less than one, nor more than five years.

SEC. 5. That no slave so imported, shall be subject to execution within the said term of six years, until all the personal property of the defendant in execution, which is now subject, is first sold: should any defendant permit any such slave or slaves to be sold, within the said term of six years, when he has other property that is liable, or should the Sheriff, or his deputies, sell the same, knowing that said slave or slaves have been imported, and when there is other property within his knowledge liable, they, and each of them, shall be subject to a fine of five hundred dollars for each slave so sold, or permitted to be sold.

SEC. 6. That if any person, being owner of slaves in this State, shall import other slave or slaves, as aforesaid, they shall not be permitted to sell, within this State, any of his, her or their old stock of slaves during the term of six years, aforesaid, under a penalty of five hundred dollars for each and every slave sold.

SEC. 7. That all the penalties mentioned in the foregoing sections of this act, shall be recoverable by action of debt or indictment.

SEC. 8. That all acts or parts of acts that come within the purview of this act, be and the same are hereby, repealed.

Mr. Hobbs moved to lay said bill on the table for the present, and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gano and Hobbs, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gano,	McRery,
Messrs. Anthony,	Gore,	Moore,
Ballinger,	Graves,	Porter,
Barnett,	Gray, W. M.	Root,
Bowman,	Grigsby,	Runyon,
Brasher,	Hardy,	Russell,

Burnam,	Harris,	Speed,
Cessna,	Hays,	Stanley,
Clark, W. J.	Hobbs,	Stone,
Cleaveland,	Hopkins,	Terrill,
Collins,	Humphreys,	Thornton,
Copelin,	Imboden,	Todd, R. S.
Corum,	Johnson,	Towles,
Cox, A. H.	Jones, D. E.	Triplett,
Cox, L. B.	Kalfus,	Tully,
Crow,	Lawless,	Waddill,
Dallam,	Mason,	Whitaker,
Ford,	McHenry,	Wright—54.

Those who voted in the negative, were—

Messrs. Ballingal,	Friend,	Lecompte,
Beard,	Gale,	Leslie,
Bradley,	Garrard,	Marshall, T.
Carter,	Glenn,	Nuckolls,
Chesnut,	Gray, R. B.	Osburn,
Clark, J.	Haggard,	Prewitt,
Desta,	Hambleton,	Shacklett,
Dickey,	Heady,	Shawhan,
Dudley,	Hendrix,	Sterett,
Eaker,	Hughes,	Sea,
Early,	Jones, J.	Todd, J. F.
Ewing,	Lair,	Wheat—36.

Mr. Burnam, from the committee to whom was referred a bill to repeal an act, entitled, an act establishing an election precinct in Butler county, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so said bill was rejected.

Mr. Brasher asked leave to bring in a bill to repeal the law of 1833, prohibiting the introduction of slaves into this Commonwealth.

And the question being taken on granting said leave, it was decided in the negative.

And then the House adjourned.

WEDNESDAY, JANUARY 15, 1845.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to incorporate the Richmond Female Institute—with an amendment.

That they had passed bills of the following titles, viz:

An act to incorporate the Cloverport Seminary.

An act for the benefit of Robert Forsythe, of Mercer county.

An act to amend an act approved March 2, 1844, in relation to Constables.

An act to regulate the terms of the Spencer Circuit Court.

An act for the benefit of Foster Ray, of Marion county.

1. Mr. Sea presented the petition of Henry Huffinan, praying a change of venue in the prosecution pending against him in the Anderson Circuit Court, for murder.

2. Mr. Imboden presented the petition of Daniel Head, M. C. Doris and John G. Doris, praying the passage of a law permitting him to settle with and pay over to said M. C. & John G. Doris, his wards, the funds in his hands as guardian.

3. Mr. Towles presented the petition of Stephen and Sarah Skaggs, praying to be divorced from each other.

4. Mr. Desha presented the petition of A. Rawlings, praying permission to erect a mill dam across Licking river at Claysville.

5. Mr. L. B. Cox presented the petition of Augustine B. Offut, Hail Loyd and John Rogers, praying that compensation may be made them for apprehending a fugitive from justice.

6. Mr. Glenn presented the petition of Julian P. Shanklin and others, heirs of Robert Shanklin, deceased, praying the passage of a law authorizing a sale of certain real estate descended to them.

7. Mr. Shanklin presented the petition of James Williams, praying a change of venue in the prosecution now pending against him in the Jessamine Circuit Court for forgery.

8. Mr. Triplett presented the petition of John Hathway, praying to be divorced from his wife, Sarah Ann Hathway.

9. Also, the petition of Joseph Sames, praying to be divorced from his wife, Susan Sames.

10. Also, the petition of sundry citizens of Oldham, Henry and Shelby counties, praying permission to use the Railroad, passing through said counties, as a public road.

11. Also, the remonstrance of John W. Clayton, against the granting of a divorce to his wife, Nancy Clayton.

12. Mr. Friend presented the petition of Jane Garnett, praying the passage of a law authorizing her to sell a slave to pay the balance due on a piece of land purchased by her deceased husband, Middleton Garnett.

13. Mr. Leslie presented the petition of Thomas Hawser, praying the passage of a law permitting him to bring into this State a slave.

14. Mr. Grigsby presented the petition of sundry citizens of Caldwell county, against a proposed division of said county.

Which were severally received, the reading thereof dispensed with, and referred—the 1st to Messrs. Sea, Hardy, Ford and Thornton; the 2d, 6th, 7th, 12th and 13th to the committee for Courts of Justice; the 3d, 8th, 9th and 11th to the committee on Religion; the 4th and 10th to the committee on Internal Improvement; the 5th to the committee on Claims, and the 14th to the committee on Propositions and Grievances.

The Speaker laid before the House a communication from the President of the Board of Internal Improvement, which is as follows, viz:

OFFICE OF THE BOARD OF INTERNAL IMPROVEMENT,
January 14, 1845. {

To the Hon. CHARLES S. MOREHEAD,

Speaker of the House of Representatives.

SIR: I have the honor to lay before you, for the use of the House of Representatives, the accompanying account of a settlement made by this Board with the Green and Barren River Commissioners, and to be, with profound respect, &c.

THOMAS METCALFE, P. B. I. I.

[For Report—see *Legislative Documents.*]

Ordered, That said report be referred to the committee on Internal Improvement, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

The Speaker laid before the House the annual report of the Trustees of the Cumberland Hospital, which is as follows, viz:

FRANKFORT, JANUARY 15, 1845.

Hon. CHARLES S. MOREHEAD,

Speaker House of Representatives.

SIR: I transmit to you, with a request that you lay the same before the House of Representatives, the report of the Trustees of the Cumberland Hospital for the past year.

Respectfully,

R. A. PATTERSON.

Report of the Trustees of the Cumberland Hospital to the Legislature of Kentucky, January 1st, 1845.

CUMBERLAND HOSPITAL	CR.
By balance due at date of last report,	\$ 18 23
By lumber sold, overlooked last year,	3 00
By cash from United States Treasury,	1,008 50
By premium on Treasury notes,	3 50
By Legislative appropriation for 1844,	1,500 00
By one trunk sold,	1 25
By cash left by deceased persons,	15 00
	<u>\$2,549 48</u>

CUMBERLAND HOSPITAL	DR.
To Thomas McCormick, Superintendent, for boarding and attendance of patients 548 6-7 weeks at \$3 50,	\$1,921 00
To same for 12 burials at \$6,	72 00
To same for washing 319 and eleven twelfths dozen at 50 cents,	159 95
To same for lime and whitewashing Hospital rooms twice and lot fence once,	15 00
To Rupert & Lindenberger for bill medicine in March,	165 62
To same for bill medicine and freights in November,	37 87
To D. B. Sanders, M. D., for one years' attendance as Physician,	300 00
To Wm. Gordon, his bill for blankets, sheets, clothing, soap, wine, brandy, quinine, &c., &c.,	87 21
	<hr/> \$2,758 65
Due to Cumberland Hospital,	<hr/> \$ 209 17

From the above statement of the accounts of the Hospital, it will be perceived that the Institution is in debt to its Keeper in the sum of *two hundred and nine dollars and seventeen cents*. The usual appropriation of *fifteen hundred dollars*, together with the sum expected from the United States Treasury, will, we presume, be sufficient to pay off the present debt and meet the demands upon the Institution for the current year.

There have been admitted into the Hospital, during the year ending 31st December last, one hundred and thirty eight patients, of whom twelve have died, five remaining, the balance discharged cured.

Permit us in conclusion to say, that every effort has been made on the part of the undersigned to render the Hospital what the Legislature intended it to be—a clean and comfortable place for the reception of the sick and afflicted mariners and boatmen, who are far from home, family or friends, and where they have the best attention, both as to their personal comfort and medical treatment. All of which is respectfully submitted.

WM. GORDON,
WM. SMEDLY,
JOHN E. WILSON,
RICHARD OLIVE,
JAS. L. DALLAM.

Trustees of the Cumberland Hospital.

Ordered, That said report be referred to the committee on Ways and Means.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act authorizing Maria Jane Pottinger to confirm the sale of a slave made by her guardian, George W. Pottinger.

An act for the benefit of Isaac Johnson and others.

An act to incorporate the town of Blandville.

An act to change the place of voting in an election precinct in Whitley county.

An act for the benefit of Susan M. Wilson.

An act to change the name of Henry Harrison Fraley, and for other purposes.

An act to permit Julia Ann Keedy to import certain slaves into this Commonwealth.

An act requiring a list of the members of Fire Engine and Hose Companies, of the City of Covington, to be reported to the Clerk of the Kenton Circuit Court.

An act to reduce the price of vacant lands in Lawrence and Carter counties.

An act for the benefit of Amelia M. Hamilton, and for other purposes.

An act for the relief of Ishmael C. Sutton, Constable of Ohio county.

An act for the benefit of William Butler, of Monroe county.

An act to allow an additional Constable to Pulaski county.

An act to establish an additional election precinct in Hopkins county.

An act for the benefit of John C. Wagoner and the heirs of George Munday.

An act to change a precinct in Harlan county.

An act to establish an election precinct in the county of Pike.

An act for the benefit of John Vickers.

An act for the benefit of the Methodist Episcopal Church in Elkton.

Preamble and resolutions in relation to the rates of postage.

Approved January 14, 1845.

An act to establish the county of Fulton.

Approved January 15, 1845.

Mr. Ewing, from the committee for Courts of Justice, to whom was referred a bill to protect the purity of elections, reported the same with an amendment as a substitute for the bill.

Ordered, That said bill and substitute be referred to a committee of the whole House, and made the special order of the day for Monday next, and that the Public Printer forthwith print 150 copies of said substitute, for the use of the members of the General Assembly.

Mr. R. S. Todd, from the committee on Ways and Means, to whom was referred a bill to amend the laws upon the subject of pedlers, reported the same with a substitute for said bill, which was concurred in.

The said bill was further amended, and as amended, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, when any person shall be desirous to obtain a license to vend goods, wares, and merchandise, throughout this State, he may apply to the Clerk of any County Court, and, on payment of fifty dollars,

shall be entitled to receive from said Clerk a license, with the seal of the county affixed thereto, which license shall authorize such person to vend, as a pedler and itinerant merchant, for the term of one year, in any county throughout the State, any goods, wares, and merchandise, not prohibited by law to be sold in the State. And all license, issued under authority of this section, shall contain a description of the person to whom it is granted.

SEC. —. That every person or persons who shall open and expose to sale, any goods, wares, and merchandise, in any room or store house in this State, for any less term than one year, shall be deemed and taken as a pedler or pedlers within the meaning of this act, and the acts to which it is an amendment: *Provided*, That this section shall not be construed to apply to any person or persons, who are bona fide residents of the county or State; and which goods, wares and merchandise shall have been regularly assessed for taxation under existing laws.

SEC. —. That every person who shall, in any boat or other water craft, on any of the rivers or waters within the jurisdiction of this State, offer for sale, or sell by retail, any goods, wares, and merchandise, other than the produce or manufactures of this State, shall be deemed pedlers within the meaning of the acts aforesaid: *Provided*, That the Clerk of any County Court of any county adjoining the Ohio or Mississippi rivers, shall be authorized, on application by any person to obtain a pedler's license to vend goods in any such boat or other water craft, to issue the same for said county, on said river, upon the payment of eight dollars; and for each county in addition, three dollars, or for all the counties bordering on said rivers, on the payment of twenty five dollars; which license shall name each county for which payment is made, and permit to sell granted, unless payment is made for all such bordering counties, and then the license shall so be made out.

SEC. —. That no license granted under this act shall be assignable, nor copies or duplicates given by any Clerk.

This act shall commence and be in force from and after the 1st day of April next.

SEC. —. *Be it further enacted*, That if any pedler of goods, wares, and merchandise, shall sell any article to any slave in this Commonwealth, without the consent of the master, mistress, owner, or overseer, that each and every pedler so offending, for each offence, shall forfeit and pay the sum of fifty dollars, recoverable before a Justice of the Peace for said said county, and on failure to pay, shall be confined in the jail of the county for the space of thirty days.

SEC. —. *Be it further enacted*, That before pedling in any county, other than the one in which said license was issued, it shall be the duty of such pedler to present his license to the Clerk of such county, and procure his certificate as to the genuineness of his license, and on failure to do so, shall be liable to the same penalty as though he had pedled without license.

SEC. —. *Be it further enacted*, That any person who may desire, shall be permitted to obtain a license to pedle in one or more counties by paying the sum of one dollar for each one hundred voters in the county he may wish so pedle, to be ascertained in each case by the last Assessor's return.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Kalfus were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Friend,	Leslie,
Messrs. Anthony,	Gale,	Marshall, T.
Ballingal,	Garrard,	McHenry,
Ballinger,	Gore,	McRery.
Beard,	Graves,	Moore,
Bowman,	Gray, R. B.	Nuckolls,
Bradley,	Gray, W. M.	Osburn,
Brasher,	Grigsby,	Parker,
Brown,	Hambleton,	Porter,
Burnam,	Hardy,	Prewitt,
Carter,	Harris,	Root,
Cessna,	Harrison,	Runyon,
Chesnut,	Haskin,	Russell,
Clark, J.	Heady,	Salter,
Clark, W. J.	Hendrix,	Shacklett,
Cleaveland,	Hobbs,	Shanklin,
Collins,	Hopkins,	Shawhan,
Copelin,	Hughes,	Speed,
Corum,	Humphreys,	Stanley,
Cox, A. H.	Imboden,	Sterett,
Dallam,	Johnson,	Terrill,
Desha,	Jones, D. E.	Thornton,
Dickey,	Jones, J.	Todd, J. F.
Dudley,	Kalfus,	Todd, R. S.
Eaker,	Lair,	Wheat,
Early,	Lawless,	Whitaker,
Ewing,	Lecompte,	Wright—82.
Ford,		

Those who voted in the negative, were—

Messrs. Barnett,	Glenn,	Sea,
Cox, L. B.	Haggard,	Towles,
Crow,	Hays,	Waddill—9.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz :

By the committee for Courts of Justice—1. A bill for the benefit of John Lafon and others.

By the committee on Internal Improvement—2. A bill for the benefit of Joseph Howard.

By same—3. A bill to facilitate the collection of water rents upon Green and Barren rivers.

By the committee on Claims—4. A bill for the relief of Margaret Mitchell.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, they were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 1st, 2d and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then resolved itself into a committee of the whole House—Mr. Hardy in the chair—on the bill to amend the laws in relation to chancery proceeding so as to facilitate the preparation and trial of chancery causes, and the amendment proposed thereto; and after some time spent therein, the Speaker resumed the chair, when Mr. Hardy reported that the committee had, according to order, had under consideration the bill and amendment aforesaid, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Mr. Glenn asked leave to bring in a bill to amend an act, entitled, an act for the benefit of the Methodist Episcopal Church in Elkton, approved January 14, 1845, which was granted.

Ordered, That the committee for Courts of Justice prepare and bring in the same.

And then the House adjourned.

THURSDAY, JANUARY 16, 1845.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to amend the statute of limitations on merchants' accounts.

That they had passed bills from this House of the following titles, viz:

An act to amend an act, entitled, an act to regulate the management of the Wilderness road, and for other purposes, approved March 2, 1844.

An act regulating the precincts of Jefferson county, and for other purposes.

An act for the benefit of Ann M. Prewitt.

An act to establish an additional election precinct in Harlan county.

An act to amend the act incorporating the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to give to the holders of Kentucky land warrants further time to have surveys made under the same, and to return plats and certificates of survey to the Register's office.

An act to reduce into one the several act exempting property from execution, and for other purposes.

An act for the benefit of the widow and heirs of Abraham Wells, deceased, of Whitley county.

An act to prescribe the mode of procuring copies of releases executed by the Contractors on public works in the State of Kentucky.

And that they had received official information from the Governor, announcing that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act providing for a change of venue in the prosecution against Samuel C. Snyder.

An act to authorize the Trustees of Taylorsville to close a part of Water street, and for other purposes.

An act for the benefit of the Sheriff of Grant county.

An act to provide certain Justices of the Peace of Johnson county with Morehead and Brown's Digest.

An act for the benefit of the Floyd Circuit Court Clerk.

An act to change the name of the town of Breathitt.

An act to change the place of voting in the Donolson precinct, in Caldwell county.

Approved January 14, 1845.

1. Mr. Hardy presented the petition of Samuel McGuire, praying permission to import into, and make sale of a slave in this State.

2. Mr. Heady presented the petition of sundry citizens of Jefferson county, praying a repeal of the act and amendment thereto, incorporating the Jefferson Pond Draining Company.

3. Mr. R. S. Todd presented the petition of Martha Beard, mother and committee of Martha Ann Beard, of unsound mind, and others, praying the passage of a law authorizing a sale of certain real estate belonging to said Martha Ann Beard.

4. Mr. Imboden presented the petition of sundry citizens of Union county, praying the establishment of a new county out of parts of said county and the counties of Hopkins, Caldwell and Crittenden.

5. Mr. Hopkins presented the petition of Speed S. Fry and others, praying the passage of a law authorizing the Danville Artillery Company to have honorary members.

6. Also, the petition of John Doxey and others, praying the passage of a law authorizing the sale of certain real estate of John Doxey and others, who are infants.

7. Also, the petition of Roland Shields and others, praying an amendment to the laws in relation to the town of Danville.

8. Mr. Hardy presented the petition of sundry citizens of Barren, Allen and Monroe counties, praying the establishment of a new county out of parts of said counties.

9. Mr. Chesnut presented the petition of Milton Martin, praying a change of venue in a prosecution against him for murder, pending in the Laurel Circuit Court.

10. Mr. Anthony presented the remonstrance of sundry citizens of Allen and Barren counties, against the formation of a new county out of parts of said counties and the county of Monroe.

11. Mr. McRery presented the petition of sundry citizens of Daviess county, praying the establishment of a new county of parts of said county and the counties of Muhlenburg and Ohio.

12. Mr. Eaker presented the petition of John Turner, praying to be divorced from his wife, Malinda Turner.

Which were received, the reading thereof (except the 1st, which was read,) dispensed with, and referred—the 1st, 3d, 6th and 9th to the committee for Courts of Justice; the 2d, 4th, 8th, 10th and 11th to the committee on Propositions and Grievances; the 5th to the committee on Military Affairs; the 7th to Messrs. Hopkins, Ballinger and Salter, and the 12th to the committee on Religion.

The Speaker laid before the House the annual report of the Visiter of the Kentucky Institute for the Education of the Blind.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly, and 300 copies for the use of said Institute.

Mr. Collins, from the committee on Claims, to whom was referred the petition of Jacob Hackney, and the petition of Robert Caruthers, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Collins, from the same committee, to whom was referred the petition

of Elisha Warfield, asked to be discharged from the further consideration thereof, which was granted.

Ordered, That said petition be referred to the committee for Courts of Justice.

Mr. Ewing, from the committee for Courts of Justice, to whom was referred a bill to change the 8th and 18th Judicial Districts, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Lair moved to amend said bill by adding thereto an engrossed clause by way of ryder.

And the question being taken thereon, it was decided in the affirmative.

On motion—*Ordered*, That the further consideration of said bill be postponed for three days.

Mr. Ewing, from the same committee, to whom was referred a bill to amend an act, entitled, an act to amend the law concerning slaves, and for other purposes, approved January 28, 1830, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Ewing, from the same committee, to whom was referred a bill to extinguish the rent and title of the City of Lexington to the Railroad Depot and Warehouse, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill be engrossed and read a third time.

Mr. R. S. Todd moved that said bill have its third reading now.

And the question being taken thereon, it was decided in the affirmative.

The said bill was then read a third time as follows, viz:

WHEREAS, The Commonwealth of Kentucky is liable for a perpetual rent of two hundred dollars per annum, to the City of Lexington, upon a lease of the Railroad Depot and Warehouse, situate in said City, in Water street, extending from Mill street to Broadway, three hundred and thirty feet in length and forty three and a half in width, being what was formerly the Lower Market House of said city; and it is deemed expedient to extinguish said rent by a purchase of the title of the same in fee simple: therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, upon the City of Lexington executing a good and sufficient deed, with covenants of general waranty, conveying to the Commonwealth of Kentucky said Depot and Warehouse, in fee simple, free of incumbrance,

and releasing the Commonwealth from all arrears of rent, which deed shall be examined and approved by the Governor, the sum of three thousand three hundred and thirty-three and a third dollars shall be paid to said City of Lexington, in six years, with interest at the rate of six per centum per annum; and the Governor is hereby authorized to execute the bonds of the Commonwealth for said sum, in sizes one hundred dollars, with interest payable annually: *Provided*, That if there should be any premium on said bonds, at the time of their delivery, the City of Lexington shall pay into the Treasury the amount of such premium.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mason and R. S. Todd, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker,	Ford,	Runyon,
Messrs. Ballinger,	Gore,	Russell,
Burnam,	Grigsby,	Shanklin,
Chesnut,	Harris,	Speed,
Clark, J.	Heady,	Stanley,
Clark, W. J.	Hobbs,	Sterett,
Collins,	Hopkins,	Terrill,
Corum,	Jones, D. E.	Thornton,
Cox, A. H.	Jones, J.	Thruston.
Cox, L. B.	Leslie,	Todd, J. F.
Crow,	McHenry,	Todd, R. S.
Dallam,	McRery,	Triplett,
Desha,	Parker,	Waddill,
Early,	Porter,	Whitaker—44.
Ewing,	Prewitt,	

Those who voted in the negative, were—

Messrs. Anthony,	Eaker,	Lair,
Ballinal,	Friend,	Lecompte,
Barnett,	Gale,	Marshall, T.
Bowman,	Garrard,	Mason,
Bradley,	Gray, W. M.	Moore,
Brasher,	Haggard,	Nuckolls,
Brown,	Hambleton,	Osburn,
Carter,	Hardy,	Salter,
Cessna,	Haskin,	Shacklett,
Cleaveland,	Hendrix,	Shawhan,
Copelin,	Hughes,	Towles,
Dickey,	Humphreys,	Wheat—38.
Dudley,	Imboden,	

Resolved, That the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee for Courts of Justice—1. A bill to allow an additional Justice of the Peace to Marshall county, and for other purposes.

By same—2. A bill to allow an additional term to the Lincoln County Court, and an additional Justice of the Peace to Lincoln county.

By same—3. A bill for the benefit of Stephen Atherton.

By the committee on Ways and Means—4. A bill to amend the revenue laws.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d and 3d were severally ordered to be engrossed and read a third time, and the 4th was referred to a committee of the whole House, and made the special order of the day for Tuesday next.

The rule of the House, constitutional provision and third reading of the 1st, 2d and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. R. S. Todd, from the committee on Ways and Means, reported a bill providing for the support of Idiots, which was read the first time.

Mr. Garrard moved to lay said bill on the table, but before the question was put, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole, on the bill to amend the laws in relation to chancery proceedings so as to facilitate the preparation and trial of chancery causes, and the amendment proposed thereto—Mr. Hardy in the chair—and after some time spent therein, the Speaker resumed the chair, when Mr. Hardy reported that the committee had, according to order, had under consideration the bill and amendment aforesaid, and had instructed him to report the same to the House with sundry amendments, which were concurred in.

The question was then taken on the adoption of the amendment proposed by Mr. Runyon, and decided in the negative.

The said bill was further amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

FRIDAY, JANUARY 17, 1845.

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz:

- An act for the benefit of John Reynolds.
- An act for the benefit of David R. Gist, of Clarke county.
- That they had passed bills from this House, of the following titles, viz:
 - An act amendatory of the several acts concerning the town of Newport, Kentucky.
 - An act to amend the road law in Greenup county.
 - An act for the benefit of the widow and heirs at law of John McElya, deceased.
 - An act for the benefit of the heirs and administrator of John Q. Thompson, deceased.
 - An act for the benefit of the Sheriffs of Graves and Perry counties.
 - An act for the benefit of James Venable, of Shelby county.
 - An act to authorize the young men of Russellville to have a Thespian Society without license.
 - An act for the benefit of David Janes and his wife.
 - An act to allow two additional Justices of the Peace to the county of Casey, and for other purposes.
 - An act for the benefit of Isaac Bolt.
 - An act to allow an additional Justice of the Peace to the county of Trimble.
 - An act for the benefit of William Berry and wife, of Adair county.
 - An act to reduce the number of Justices of the Peace in the county of Boone.
 - An act for the benefit of Stephen M. Farish, Jailer of Morgan county.
 - An act for the benefit of Daniel Bailey.
 - An act for the benefit of Hiram Begley.
 - An act requiring certain duties of the Commissioner's of Tax and County Court Clerks, before the County Court shall receive the Commissioner's books.
 - An act to allow an additional Constable in Ballard county, and for other purposes.
- With amendments to the four last named bills.
- That they had passed bills of the following titles, viz:
 - An act authorizing the County Court of Christian county to change the location of a part of the Hopkinsville and Morgantown State Road.

An act to amend the several acts concerning the Newport Seminary or Academy.

An act for the benefit of J. A. McReynolds, Garland Chiles, Nathan Butler, Fleming N. Chiles, and others.

An act to allow an additional Justice of the Peace to Carter county.

An act to change the name of Sarah Ann Goodwin to Sarah Ann Blakely.

1. Mr. Hardy presented the petition of sundry citizens of Barren county, praying that an additional Justice of the Peace be allowed to said county.

2. Mr. Lawless presented the petition of John U. Watson, praying the passage of a law authorizing the confirmation of a sale of a tract of land made by him and his wife, but which was not conveyed in consequence of the death of his wife, the fee simple title being in her.

3. Mr. McHenry presented the petition of the heirs of Jacob Cardwell, deceased, praying the passage of a law authorizing a sale of the real estate and slaves of the estate of said deceased, to pay his debts.

4. Also, the petition of Francis Moore and others, heirs of Agnes Moore, deceased, praying the passage of a law authorizing a sale of the real estate of said deceased.

5. Mr. Burnam presented the petition of George M. Howorth and others, praying the passage of a law authorizing a conveyance of a tract of land on the part of the heirs of Alexander Graham and Volney S. Graham, which was sold by them and said Howorth previous to their death.

6. Mr. Anthony presented the petition of Tarlton Borin, praying a change of venue in the prosecution against him in the Warren Circuit Court, for felony.

7. Mr. Porter presented the petition of Harrison Goslin, guardian of the children of George W. Dobyns, deceased, praying the passage of a law authorizing a sale of certain real estate belonging to his wards.

8. Mr. Burnam presented the petition of Edmund Payne, praying permission to import into this State certain slaves, descended to his wife.

9. Mr. Thornton presented the petition of sundry citizens of the town of Versailles, praying that an alley in said town be opened.

10. Mr. Speed presented the petition of the Pastor and Trustees of the 1st United German Protestant Church, praying for an act of incorporation.

11. Mr. Grigsby presented the remonstrance of sundry citizens of Caldwell county, against the division of said county.

12. Mr. Desha presented the petition of T. B. and J. H. Curran, praying the passage of a law allowing them compensation for losses sustained by them by the sinking of a flat boat caused by obstructions in Licking river, made by the Contractors for locking and daming said river.

13. Mr. Bradley presented the petition of sundry citizens of the town of Madisonville, praying a repeal of the act approved 22d February, 1843, enlarging and defining the powers of the Trustees of said town.

Which were severally received, the reading thereof dispensed with, and referred—the 1st to Messrs. Hardy, Lawless and Ewing; the 2d, 3d, 4th, 5th, 6th, 7th, 8th and 13th to the committee for Courts of Justice; the 9th and 11th to the committee on Propositions and Grievances; the 10th to the committee on Religion, and the 12th to the committee on Internal Improvement.

The House again resumed the consideration of the bill providing for the support of Idiots.

Mr. Garrard withdrew his motion to lay said bill on the table.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all acts or parts of acts authorizing the payment of money out of the Public Treasury, for the support and maintenance of Idiots, shall be, and the same is hereby repealed; and that hereafter it shall be the duty of the several County Courts of this Commonwealth, and they are hereby required, at their Court of Claims, in each and every year, to levy on their respective counties, a sum sufficient to support such Idiots residing in their said counties, at a rate not exceeding the sum of fifty dollars, per annum, for each Idiot: *Provided, however,* That said County Courts may send such Idiots to the poor house of their county, if they have one, to be supported and taken care of as other paupers of their county, if deemed advisable and consented to by their parents or committee. And the County Courts are hereby authorized to make all orders necessary in relation to the payment, by the Sheriffs, of such sum as he may be ordered to pay the committee.

Mr. Stone renewed the motion to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garrard and Stone, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Dickey,	Imboden,
Ballingal,	Dudley,	Jones, J.
Barnett,	Eaker,	Lair,
Bowman,	Early,	Lecompte,
Bradley,	Friend,	Marshall, T.
Brasher,	Gale,	Mason,
Brown,	Garrard,	McRery.
Carter,	Graves,	Moore,
Cessna,	Gray, R. B.	Nuckolls,
Chesnut,	Gray, W. M.	Osburn,
Clark, J.	Groesbeck,	Runyon,
Cleaveland,	Haggard,	Shawhan,
Copelin,	Hardy,	Stone,
Corum,	Haskin,	Todd, J. F.
Cox, L. B.	Hendrix,	Towles,
Crow,	Hughes,	Wheat—50.
Desha,	Humphreys,	

Those who voted in the negative, were—

Mr. Speaker,	Harris,	Salter,
Messrs. Ballinger,	Heady,	Shacklett,
Burnam,	Hobbs,	Shanklin,
Chambers,	Hopkins,	Speed,
Clark, W. J.	Johnson,	Stanley,
Collins,	Jones, D. E.	Sterett,
Cox, A. H.	Lawless,	Terrill,
Dallam,	Leslie,	Thornton,
Ewing,	Marshall, W. C.	Thruston,
Ford,	McHenry,	Todd, R. S.
Gano,	Parker,	Triplett,
Gore,	Porter,	Tully,
Grigsby,	Prewitt,	Waddill,
Hambleton,	Russell,	Whitaker—42.

Mr. Ford, from the committee on Agriculture and Manufactures, to whom was referred a bill to regulate the weight of grain, reported the same without amendment.

Ordered, That said bill be engrossed and read third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Ways and Means—1. A bill for the benefit of Edward Lewis, Sheriff of Green county.

By the committee on Education—2. A bill to reduce into one the several acts concerning common schools, and more effectually to establish the same in this Commonwealth.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was ordered to be engrossed and read a third time, and the 2d was made the special order of the day for Wednesday next.

The rule of the House, constitutional provision and third reading of the 1st bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Shanklin, from the committee for Courts of Justice, made the following report, viz:

The committee on Courts of Justice have had under consideration the resolution of the House, instructing them to inquire into the expediency of reducing and re-modeling the Circuit Court system of this Commonwealth, and beg leave to make the following report:

The present Circuit Court system has grown up, since its establishment, to an enormous size, bringing a charge on the Treasury greatly disproportionate to what is necessary to its successful administration. So many conflicting interests present themselves in the way of modification or restriction, that all efforts heretofore made for that purpose, have proved abortive, and it is believed might continue to do so. The policy of but two terms a year is believed to be sufficient for all the ends of justice, at present, and is in accordance with the public sentiment of the State, and therefore, not likely to be changed. That change, together with other causes operating with it, has reduced the expenses of the jury system about \$10,865, as will be seen by reference to the Second Auditor's Annual Reports, an item not to be overlooked in these times of depression in the price of agricultural products and mechanical labor. Your committee believe that the average time employed by the Circuit Judges, in holding their regular terms, does not exceed four months, and if the labors were equally divided, it might be done in much less time. They are also of opinion that six months labor in the year, would not be unreasonable service for each Judge, and that the State might be so districted as to enable twelve Judges, or at most fourteen, to perform all the labor that the nineteen Judges now perform, without exceeding that time.

The salaries now paid to the present nineteen Judges and Commonwealth's Attorneys, amount to \$28,900 per annum. By reducing the number of Judicial Districts to twelve, and increasing the salaries of Judges to \$1,500, the Treasury would realize a saving of \$7,300. It is furthermore believed, that such a change in the system, (by infusing new energy into it,) would save to the Treasury of the State some four or five thousand dollars more from the Jury Fund, by the more speedy despatch of the jury docket. How this reform, so imperiously called for by the exhausted state of the Treasury, and the reduced ability of our citizens to pay the necessary tax to meet our liabilities, is to be brought about, your committee have had some difficulty in determining. Shall we repeal the seven circuits last created, and distribute the labors amongst the other twelve? This, if not otherwise objectionable, would have the effect to drive from the public service several of the best qualified Judges, and leave in office others, perhaps not so well qualified. Shall we cull out the seven districts most unworthily filled, and repeal them? Such a course would be invidious and perplexing, and could not be accomplished; besides, as Circuit Judges are appointed during the continuance of their Courts, well grounded constitutional objections might be taken to both of these modes of reduction. Shall we reduce the salaries of the nineteen Judges and Commonwealth's Attorneys to such a sum as would be a fair equivalent for the services of twelve, the proposed number? Such a measure would drive every qualified Judge from office, and fill their places by those of inferior qualifications.

Your committee cannot conceive a more judicious remedy for the existing evils, than by imitating the Legislature of 1802, and change the system, and with that view, report the accompanying bill.

Mr. Shanklin then reported to bill to establish District Courts, and for other purposes, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Thursday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to amend the act incorporating the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.

An act to provide for a change of venue in the prosecution against Addison, a slave.

An act to incorporate the Richmond Female Institute.

An act for the benefit of Daniel Bailey.

An act for the benefit of Hiram Begley.

An act requiring certain duties of the Commissioner's of Tax and County Court Clerks, before the County Court shall receive the Commissioner's books.

An act to allow an additional Constable in Ballard county, and for other purposes.

Were taken up, twice read, and concurred in.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of Constant A. Wilson, of Logan county.

2. An act for the benefit of Foster Ray, of Marion county.

3. An act to regulate the terms of the Spencer Circuit Court.

4. An act to amend an act approved March 2, 1844, in relation to Constables.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was ordered to be read a third time, and the 2d, 3d and 4th were referred to the committee for Courts of Justice.

The rule of the House, constitutional provision and third reading of the 1st bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of J. A. McReynolds, Garland Chiles, Nathan Butler, Fleming N. Chiles, and others, was read the first time as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That J. A. McReynolds be permitted to bring into this State, from the State of Tennessee, his slave Mahala, without incurring the penalties of the law of 1833, prohibiting the importation of slaves.

SEC. 2. That Garland Chiles be permitted to bring into this State, from the State of Tennessee, his slave Joe, without incurring the penalties of the law of 1833, prohibiting the importation of slaves.

SEC. 3. That Nathan Butler be permitted to bring into this State, from the State of Tennessee, his slaves Sophia and John, without incurring the penalties of the law of 1833, prohibiting the importation of slaves.

SEC. 4. That Fleming N. Chiles be permitted to bring into this State, his slaves Marshall and Milly, without incurring the penalties of the law of 1833, prohibiting the importation of slaves.

SEC. 5. That B. M. Hughes, of Hickman county, be permitted to bring into this State, two slaves, to-wit: Laura and her child Julia, the same having been left to his brothers and sisters, without incurring the penalties of the law of 1833, prohibiting the importation of slaves.

SEC. 6. That Nathaniel Dawson, of Henry county, be permitted to bring a negro boy into this State, from Missouri, without incurring the penalties of the law of 1833, prohibiting the importation of slaves.

SEC. 7. That Lewis Lorris, of the county of Jessamine, be authorized to bring into this State, from the State of Missouri, a negro slave, named Knox, under the same restrictions above named.

SEC. 8. That Archibald Prater, Thomas B. Keeton, and Frederick Adkins, each be permitted to bring into this State, the following slaves, to-wit: That the said Prater shall be permitted to bring into this State, a negro boy about ten years old, by the name of Richard; that Thomas B. Keeton be allowed to bring in a negro boy by the name of Nathaniel; and that said Adkins may bring into this State, a negro woman by the name of Sarah, and her child, without incurring the penalties of the law of 1833, prohibiting the importation of slaves: *Provided*, That the persons named in this act, shall, within thirty days after said slaves shall be brought into the State, file, and have entered of record, in their respective County Court Clerk's Offices, their affidavits, that said slaves were not imported for sale, as merchandise, and that they are for their own use.

SEC. 9. *Be it further enacted*, That no one of the persons permitted to bring into this State, a slave or slaves, mentioned in this act, shall be permitted to sell the same within this State, for the term of seven years, under the penalty of five hundred dollars, to be recovered by any person suing for the same, or by indictment by the grand jury.

Mr. Thruston moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Porter and Tripplett, were as follows:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Ford,	McHenry,
Ballinger,	Gale,	Parker,
Barnett,	Gano,	Porter,
Bowman,	Gore,	Prewitt,
Brasher,	Gray, W. M.	Runyon,
Burnam,	Grigsby,	Russell,
Cessna,	Groesbeck,	Salter,
Chambers,	Haggard,	Shawhan,
Chesnut,	Hardy,	Stanley,
Clark, W. J	Harris,	Stone,
Cleaveland,	Hendrix,	Terrill,
Collins,	Hobbs,	Thornton,
Copelin,	Hopkins,	Thruston.
Corum,	Imboden,	Todd, R. S.

Cox, A. H.	Johnson,	Triplett,
Crow,	Jones, D. E.	Tully,
Dallam,	Lair,	Waddill,
Desha,	Lawless,	Wheat,
Dudley,	Marshall, W. C.	Whitaker—57.

Those who voted in the negative, were—

Messrs. Anthony,	Garrard,	Marshall, T.
Bradley,	Graves,	Mason,
Brown,	Gray, R. B.	McRery,
Carter,	Hambleton,	Moore,
Clark, J.	Haskin,	Nuckolls,
Cox, L. B.	Heady,	Osburn,
Dickey,	Hughes,	Shacklett,
Eaker,	Humphreys,	Shanklin,
Early,	Jones, J.	Sterett,
Ewing,	Lecompte,	Todd, J. F.
Friend,	Leslie,	Towles—33.

A bill providing for a change of venue in a prosecution pending in the Jefferson Circuit Court against Paschal D. Craddock, for perjury, was read a third time.

The said bill was then amended.

Mr. Thruston moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill, as amended, be engrossed and read a third time? and it was decided in the affirmative.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Heady and Tully, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Ewing,	Marshall, W. C.
Ballinger,	Ford,	Marshall, T.
Barnett,	Friend,	Mason,
Beard,	Gale,	McHenry,
Bradley,	Gano,	McRery,
Brasher,	Garrard,	Moore,
Burnam,	Gore,	Osburn,
Carter,	Graves,	Parker,
Cessna,	Gray, R. B.	Runyon,
Chambers,	Grigsby,	Russell,
Chesnut,	Groesbeck,	Shacklett,
Clark, J.	Haggard,	Shanklin,

Clark, W. J.	Hardy,	Shawhan,
Cleaveland,	Harris,	Stanley,
Collins,	Haskin,	Sterett,
Copelin,	Hendrix,	Stone,
Corum,	Hobbs,	Terrill,
Cox, A. H.	Hopkins,	Thornton,
Cox, L. B.	Hughes,	Todd, J. F.
Crow,	Humphreys,	Todd, R. S.
Dallam,	Imboden,	Towles,
Desha,	Johnson,	Triplett,
Dickey,	Lair,	Waddill,
Eaker,	Lecompte,	Whitaker—72.

Those who voted in the negative, were—

Messrs. Anthony,	Hambleton,	Prewitt,
Bowman,	Heady,	Salter,
Brown,	Jones, D. E.	Speed,
Dudley,	Jones, J.	Tully,
Early,	Lawless,	Wheat—17.
Gray, W. M.	Leslie,	

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.

SATURDAY, JANUARY 18, 1845.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from that, entitled, an act providing for a change of venue in the prosecution against Joseph N. Allen.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of George O. Thompson.

An act to revive the act concerning the town of New Liberty, approved 27th February, 1844.

An act for the benefit of Thomas Cross.

An act for the benefit of Joseph Howard.

With amendments to the last.

That they had passed bills of the following titles, viz:

An act to change the name of Sophia Jeffries to that of Sophia Hancock.

An act for the benefit of the devisees and distributees of Sarah C. McLaughlin, deceased.

An act to authorize the County Court of Kenton county to change, at certain points, the location of the State road leading from Independence to Covington.

1. Mr. Ballingal presented the petition of sundry citizens of Nicholas county, praying that permission be given to Jeremiah Ashbury to build a fish dam across Licking river.

2. Mr. Prewitt presented the petition of sundry citizens of Mt. Sterling, praying that Caleb G. Richardson and Ethan A. Hathaway be exempted from paying town taxes on slaves employed by them in their bagging factory, in said town.

3. Mr. Groesbeck presented the petition of sundry citizens of the City of Covington, praying an amendment to the charter of said city.

4. Also, the petition of sundry stockholders in the Covington and Lexington Turnpike Road Company, praying an amendment to the charter of said company.

5. Mr. Chambers presented the petition of Isaiah P. Mofford, praying to be divorced from his wife, Mary Jane Mofford.

6. Also, the petition of sundry citizens of Mason county, praying an amendment to the militia laws.

7. Mr. Groesbeck presented the petition of sundry citizens of Kenton county, praying the passage of a law changing the place of voting in an election precinct in said county.

8. Also, the petition of the Trustees of Trinity Church, praying an act of incorporation.

9. Mr. Mason presented the petition of sundry citizens of the counties of Morgan, Bath and Montgomery, praying the establishment of a new county out of parts of said counties.

10. Mr. Brown presented the petition of sundry citizens of the town of Elizabethtown, praying the passage of a law increasing the powers of the Trustees of said town.

11. Mr. Hopkins presented the petition of sundry citizens of Danville, praying the passage of a law incorporating the Danville Amateur Band.

12. Mr. Groesbeck presented the petition of Calvin A. Hull, praying that compensation be allowed him for taking care of a lunatic.

13. Also, the petition of Robert H. Perry, praying the passage of a law to allow him compensation for services in going to Missouri after a fugitive from justice.

14. Mr. Anthony presented the remonstrance of sundry citizens of Allen county, against the establishment of a new county out of parts of Allen, Barren and Monroe counties.

15. Mr. Speed presented the remonstrance of sundry citizens of Union county, against the formation of a new county out of parts of Caldwell, Union, Hopkins and Crittenden counties.

Which were received, the reading thereof dispensed with, and referred—the 1st and 4th to the committee on Internal Improvement; the 2d, 7th, 9th, 14th and 15th to the committee on Propositions and Grievances; the 3d, 8th and 11th to the committee for Courts of Justice; the 5th to the committee on Religion; the 6th to the committee on Military Affairs; the 10th to Messrs. Brown, Hays and Gore, and the 12th and 13th to the committee on Claims.

Leave was given to bring in the following bills, viz:

On motion of Mr. Kalfus—1. A bill to regulate the duties of the managers of turnpike roads.

On motion of Mr. Brashear—2. A bill to change the place of voting in the town of Landing.

On motion of Mr. Carter—3. A bill for the benefit of the town of West Liberty, and for other purposes.

On motion of same—4. A bill for the benefit of Mathew McClure, of Morgan county.

On motion of Mr. Root—5. A bill to incorporate a Turnpike Road Company in Campbell county.

On motion of same—6. A bill to amend the execution laws, and for other purposes.

On motion of Mr. A. H. Cox—7. A bill to amend the laws in relation to keeping public roads in repair, and for other purposes.

On motion of Mr. Bowman—8. A bill to allow an additional term to the County Court of Casey, in the month of August.

On motion of Mr. Haggard—9. A bill for the benefit of Vincent and R. C. Taylor, late Sheriff of Cumberland county.

On motion of Mr. Osburn—10. A bill to extend the Constable's district in the town of Louisa.

On motion of Mr. Friend—11. A bill more effectually to suppress dueling.

On motion of Mr. Hendrix—12. A bill to establish an election precinct in the county of Grant.

On motion of Mr. Barnett—13. A bill to incorporate the Greensburg Philaletic Society.

On motion of Mr. Towles—14. A bill for the benefit of James Purvis and wife, of Green county.

On motion of Mr. Bradley—15. A bill to change the time of holding the chancery term of the Hopkins Circuit Court, and to add an additional week to the Hopkins Circuit Court.

On motion of Mr. Dudley—16. A bill to reduce the number of Justices of the Peace in Hickman county.

On motion of same—17. A bill for the benefit of the Sheriff of Hickman county.

On motion of Mr. Stanley—18. A bill to change the election precinct from William Cannon's to William Long's, Sen., in the lower part of Henderson county.

On motion of Mr. Hays—19. A bill to amend the law in relation to the pay of witnesses attending the County Courts.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st; Messrs. Brasher, J. F. Todd and Ballingal the 2d; Messrs. Carter, Dickey, Hardy and Sea the 3d; Messrs. Carter, Osburn, Dickey and Carter the 4th; Messrs. Root, Hobbs, Brasher and Cleaveland the 5th; Messrs. Root, Harrison, Brasher and Triplett the 6th; Messrs. A. H. Cox, Root, Runyon and Prewitt the 7th; the committee for Courts of Justice the 8th, 15th, 16th and 19th; Messrs. Haggard, Beard and Stone the 9th; Messrs. Osburn, Hendrix and Carter the 10th; Messrs. Friend, McHenry, Stone, Heady and L. B. Cox the 11th; Messrs. Hendrix, Desha and Shawhan the 12th; the committee on Education the 13th; Messrs. Towles, Barnett and Hardy the 14th; the committee on Ways and Means the 17th, and Messrs. Stanley, Johnson and McRery the 18th.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Sea—1. A bill to amend the jury laws.

By Mr. Hopkins—2. A bill for the benefit of Lucy G. Cocke and her infant children.

By Mr. Hardy—3. A bill to allow an additional Justice of the Peace to Barren county, and for other purposes.

By Mr. Mason—4. A bill to change the mode of advertising lands to be sold for taxes.

By Mr. Root—5. A bill to amend the road law in Campbell county.

By same—6. A bill for the benefit of John Wiggins Flora.

By same—7. A bill to establish a Library Association at Newport, Kentucky.

By Mr. Haggard—8. A bill for the appointment of Police Judge of the town of Burksville, and for other purposes.

By Mr. Corum—9. A bill to amend an act, entitled, an act to amend the charter of the Owingsville and Big Sandy Turnpike Road Company.

By Mr. Barnett—10. A bill for the benefit of William B. Carlise and Archy S. Lewis, deputies of Samuel Faulkner, late Sheriff of Green county.

By Mr. Brown—11. A bill to amend an act, entitled, an act incorporating the town of Bardstown.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 4th and 8th were referred to

the committee for Courts of Justice; 2d, 3d, 6th, 7th, 10th and 11th were severally ordered to be engrossed and read a third time, and the 5th and 9th were referred to the committee on Internal Improvement, (Mr. Mason having proposed an amendment to the 9th.)

The rule of the House, constitutional provision and third reading of the 2d, 3d, 6th, 7th, 10th and 11th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Haggard, from the committee appointed to prepare and bring in the same, reported a bill to reduce the salaries of certain officers, and for other purposes, which was read the 1st time as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the passage of this act, the various officers of this Commonwealth, hereinafter mentioned, shall be paid out of the Public Treasury, the following salaries annually, to-wit: The Auditor of Public Accounts, seven hundred and fifty dollars; to the Second Auditor of Public Accounts, fifteen hundred dollars; to the Treasurer, one thousand dollars; to the same, for keeping the State House, fifty dollars; to the Secretary of State, six hundred and fifty dollars; to the Register of the Land Office, one thousand dollars; to the principal Clerk in the Land Office, five hundred dollars; to the assistant Clerk in the same office, three hundred dollars; to the Librarian, two hundred dollars; to the President of the Board of Internal Improvement, five hundred dollars; to the Judges of the Court of Appeals, fourteen hundred dollars each; to the Attorney General, two hundred and fifty dollars; to the Adjutant General, one hundred and fifty dollars; to the Quarter Master Geneal, one hundred dollars; to the Judges of the Circuit Courts, one thousand dollars each, except the Judge of the 5th Judicial District, who shall have twelve hundred and fifty dollars; to the Chancellor of the City of Louisville, seventeen hundred and fifty dollars; to the Attorneys for the Commonwealth, two hundred and fifty dollars each; to the Clerk of the Secretary's office, six hundred and fifty dollars.

SEC. 2. *Be it further enacted*, That the several officers named in the first section of this act, shall be paid their said annual salaries quarterly, as allowed by the laws now in force.

SEC. 3. *Be it further enacted*, That all acts or parts of acts, coming within the purview of this act, shall be, and the same are hereby repealed.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Collins moved to refer said bill to the committee for Courts of Justice.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Garrard were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ford,	Imboden,
Messrs. Ballingal,	Gano,	Johnson,
Ballinger,	Gore,	Kalfus,
Burnam,	Gray, W. M.	McHenry,
Clark, W. J.	Grigsby,	Nuckolls,
Collins,	Groesbeck,	Parker,
Copelin,	Harris,	Porter,
Cox, A. H.	Harrison,	Runyon,
Cox, L. B.	Haskin,	Stanley,
Crow,	Hendrix,	Terrill,
Dallam,	Hobbs,	Thornton,
Dudley,	Hopkins,	Todd, R. S.
Eaker,	Humphreys,	Wright—39.

Those who voted in the negative, were—

Messrs. Anthony,	Garrard,	McRery.
Barnett,	Glenn,	Moore,
Beard,	Graves,	Osburn,
Bowman,	Gray, R. B.	Prewitt,
Bradley,	Haggard,	Root,
Brasher,	Hambleton,	Salter,
Brown,	Hardy,	Shacklett,
Carter,	Hays,	Shawhan,
Cessna,	Heady,	Speed,
Chambers,	Hughes,	Sterett,
Chesnut,	Jones, J.	Stone,
Clark, J.	Lair,	Sea,
Cleaveland,	Lawless,	Thruston,
Corum,	Lecompte,	Todd, J. F.
Desta,	Leslie,	Towles,
Dickey,	Marshall, W. C.	Waddill,
Early,	Marshall, T.	Wheat,
Ewing,	Mason,	Whitaker—55.
Friend,		

Mr. Stone moved to postpone the consideration of said bill and make it the special order of the day for Friday next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stone and Dickey, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gore,	Moore,
Messrs. Ballingal,	Graves,	Nuckolls,
Ballinger,	Gray, R. B.	Osburn,
Barnett,	Gray, W. M.	Parker,
Beard,	Grigsby,	Porter,
Bowman,	Groesbeck,	Prewitt,
Brasher,	Haggard,	Root,

Brown,	Hambleton,	Runyon,
Carter,	Hardy,	Salter,
Cessna,	Harrison,	Shacklett,
Chambers,	Haskin,	Shawhan,
Clark, J.	Hays,	Speed,
Cleaveland,	Heady,	Stanley,
Collins,	Hendrix,	Sterett,
Copelin,	Hughes,	Stone,
Corum,	Humphreys,	Sea,
Cox, A. H.	Johnson,	Terrill,
Cox, L. B.	Jones, J.	Thornton,
Crow,	Kalfus,	Thruston.
Desha,	Lair,	Todd, J. F.
Dickey,	Lawless,	Todd, R. S.
Dudley,	Lecompte,	Towles,
Eaker,	Leslie,	Triplett,
Early,	Marshall, T.	Tully,
Ford,	Mason,	Wheat,
Friend,	McHenry,	Whitaker,
Gano,	McRery,	Wright—82.
Glenn,		

Those who voted in the negative, were—

Messrs. Anthony,	Dallam,	Hopkins,
Bradley,	Ewing,	Imboden,
Burnam,	Garrard,	Marshall, W. C.
Chesnut,	Harris,	Waddill—14.
Clark, W. J.	Hobbs,	

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

On motion of Mr. Garrard,

Ordered, That the bill for the benefit of Frederick Nance be taken up from the table and placed in the orders of the day.

Mr. Brown moved a re-consideration of the vote laying on the table a bill providing for the support of Idiots.

Mr. Salter moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the vote be re-considered? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garrard and Stone, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballinger,	Hardy,	Runyon,
Brown,	Harris,	Salter,
Burnam,	Harrison,	Shacklett,

Chambers,	Hays,	Speed,
Clark, W. J.	Heady,	Stanley,
Collins,	Hobbs,	Sterett,
Copelin,	Hopkins,	Sea,
Cox, A. H.	Johnson,	Terrill,
Cox, L. B.	Kalfus,	Thornton,
Crow,	Lawless,	Thruston,
Dallam,	Leslie,	Todd, J. F.
Ewing,	Marshall, W. C.	Todd, R. S.
Ford,	McHenry,	Triplett,
Gano,	McRery,	Tully,
Gore,	Parker,	Waddill,
Gray, W. M.	Porter,	Whitaker,
Grigsby,	Prewitt,	Wright—53.
Hambleton,	Root,	

Those who voted in the negative, were—

Messrs. Anthony,	Dickey,	Imboden,
Ballingal,	Dudley,	Jones, J.
Barnett,	Eaker,	Lair,
Beard,	Early,	Lecompte,
Bowman,	Friend,	Marshall, T.
Bradley,	Garrard,	Mason,
Brasher,	Glenn,	Moore,
Carter,	Graves,	Nuckolls,
Cessna,	Gray, R. B.	Osburn,
Chesnut,	Groesbeck,	Shawhan,
Clark, J.	Haggard,	Stone,
Cleaveland,	Haskin,	Towles,
Corum,	Hendrix,	Wheat—41.
Desha,	Humphreys,	

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

On motion of Mr. Porter,

Ordered, That said bill be referred to the committee for Courts of Justice, with instructions so to amend the law as to prevent impositions upon the Treasury, where the Idiot is possessed with means of support in his own right, or residing with parents who are able to support said Idiot, or when the Idiot is able to work for his or her own support.

And then the House adjourned.

MONDAY, JANUARY 20, 1845.

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz:

An act for the benefit of the widows of Larue county.

An act for the benefit of William H. Richardson.

That they had passed bills from this House, of the following titles, viz:

An act to repeal the first section of an act limiting the number of Justices of the Peace in the county of Wayne, and for other purposes.

An act for the benefit of Lois Smallwood.

An act for the benefit of L. B. Stark.

An act for the benefit of Nancy A. and Robert W. Lowry, Jr.

An act to allow an additional Justice of the Peace to Marshall county, and for other purposes.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act authorizing a settlement with John Tilford.

An act providing for a change of venue in the prosecution against Calvin Fairbank.

1. Mr. W. C. Marshall presented the petition of the Contractors of Public Works on Licking river, praying the passage of a law appointing commissioners to assess the damages sustained by them in consequence of the suspension of said works.

2. Mr. Glenn presented the petition of sundry citizens of Todd county, praying that the summer term of the Todd Circuit Court may be restored.

3. Mr. Lecompte presented the petition of sundry citizens of Trimble county, praying to be added to the county of Henry.

4. Mr. Bradley presented the remonstrance of sundry citizens of Hopkins county, against the formation of a new county out of parts of Caldwell, Crittenden, Union and Hopkins counties.

5. Mr. Anthony presented the remonstrance of sundry citizens of Allen county, against the formation of a new county out of parts of Allen, Barren and Monroe counties.

6. Mr. Sterrett presented the petition of sundry citizens of Ohio county, praying to be added to the county of Hancock.

7. Mr. Crow presented the remonstrance of sundry citizens of Ohio county, against being added to the county of Hancock.

8. Mr. Wheat presented the petition of sundry citizens of the town of Columbia, in Adair county, praying a repeal of the act incorporating said town, approved 27th February, 1844.

9. Also, the remonstrance of sundry citizens of said town, against the repeal of said act.

10. Mr. Johnson presented the petition of sundry citizens of Ohio county, praying to be added to the county of Daviess.

11. Mr. Whitaker presented the petition of Nancy Jane Burch, praying permission to import into this State a slave.

12. Mr. Beard presented the petition of Harman Wynn, praying a donation of land by the State.

13. Mr. Mason presented the petition of Charles S. Graham, praying to be divorced from his wife, Mary M. Graham.

14. Also, the remonstrance of sundry citizens of Morgan county, against the formation of a new county out of parts of Morgan, Bath and Montgomery counties.

15. Mr. Whitaker presented the petition of sundry citizens of Carroll and Gallatin counties, praying a change in a State road passing through said counties.

16. Mr. Eaker presented the petition of sundry citizens of Graves county, praying the passage of a law establishing a State road from Canton, in Trigg county, to Mills' Point, on the Mississippi river.

17. Mr. J. Jones presented the petition of Susan Hendrixon, praying to be divorced from her husband, Joshua Hendrixon.

18. Mr. Prewitt presented the petition of Thomas Hoffman, praying that certain lots owned by him, in the town of Mt. Sterling, may be stricken off from the limits thereof.

19. Mr. Runyon presented the petition of Paulina G. Rodes and her children, praying the passage of a law authorizing Cassius M. Clay, their trustee, to sell certain real estate belonging to them.

Which were received, the reading thereof dispensed with, and referred —the 1st and 16th to the committee on Internal Improvement; the 2d, 11th and 19th to the committee for Courts of Justice; the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 14th and 18th to the committee on Propositions and Grievances; the 12th to Messrs. Beard, Lair and Stone; the 13th and 17th to the committee on Religion, and the 15th to Messrs. Whitaker, Towles, Desha and Triplett:

A message was received from the Governor, by Mr. Hardin, Secretary of State, which is as follows, viz:

Gentlemen of the House of Representatives:

A joint resolution of the two Houses of the General Assembly, entitled, "A resolution appointing a joint committee to revise the Common School laws," has been presented to me for my approval.

The resolution is in the following words:

"Resolved by the General Assembly of the Commonwealth of Kentucky,
That the committee on Education, in each House, be constituted a joint

committee to revise, amend, and compile the Common School Laws of this State."

As there is nothing in this resolution which requires a report by the committee to either House of the General Assembly, I am unable, according to any fair rule of construction, to consider it in any other light than as an authority intended to be conferred on the committee to revise, amend, and compile the Common School Laws, and that whatever may be so done by the committee, is to be the law of the land, without further action of the Legislature.

Thus understanding the resolution, I consider it as conferring a power on the committee to make a law—a power which the Constitution does not authorize to be delegated by the Legislature—and I therefore return it, together with these my objections, to the House of Representatives in which it originated.

WM. OWSLEY.

January 20th, 1845.

The said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That the committee on Education, in each House, be constituted a joint committee to revise, amend, and compile the Common School Laws of this State.

The yeas and nays were then taken on the adoption of said resolution, the Governor's objections to the contrary notwithstanding, and decided in the negative, viz:

Mr. Glenn voted in the affirmative.

Those who voted in the negative, were—

Mr. Speaker,	Gano,	Marshall, T.
Messrs. Ballinger,	Garrard,	Mason,
Barnett,	Gore,	McRery,
Beard,	Graves,	Moore,
Bowman,	Gray, R. B.	Nuckolls,
Bradley,	Gray, W. M.	Osburn,
Brown,	Grigsby,	Parker,
Carter,	Groesbeck,	Porter,
Cessna,	Haggard,	Prewitt,
Chambers,	Hambleton,	Root,
Chesnut,	Harrison,	Runyon,
Clark, J.	Haskin,	Salter,
Clark, W. J.	Hays,	Shacklett,
Cleaveland,	Heady,	Shawhan,
Collins,	Hendrix,	Speed,
Copelin,	Hobbs,	Stanley,
Corum,	Hopkins,	Sterett,
Cox, A. H.	Hughes,	Terrill,
Cox, L. B.	Humphreys,	Thruston,
Crow,	Imboden,	Todd, J. F.
Dallam,	Johnson,	Todd, R. S.
Desha,	Jones, J.	Towles,
Dickey,	Kalfus,	Triplett,

Dudley,	Lair,	Tully,
Eaker,	Lawless,	Waddill,
Early,	Lecompte,	Wheat,
Ewing,	Leslie,	Whitaker,
Ford,	Marshall, W. C.	Wright—85.
Friend,		

A message was received from the Governor, by Mr. Hardin, Secretary of State, which is as follows, viz:

Gentlemen of the House of Representatives:

Entertaining the opinion that the enrolled bill, entitled, "An act to authorize the appointment of a Justice of the Peace in Whitley county, and for other purposes," which has been presented to me for my approval, contains a provision repugnant to the Constitution of this State, I return the same, with my objections, to the House of Representatives, in which it originated.

The fourth section of the bill is in the following words:

"*Be it further enacted*, That there be allowed to the county of Ohio, one additional Justice of the Peace, to reside at or near Briggs' mill, on Caney."

In thus requiring the Justice to reside at or near Briggs' mill, I think the General Assembly transcended its constitutional limit and invaded the power of the County Court of Ohio. The 8th section of the 4th article of the constitution requires the County Court, when a Justice of the Peace shall be needed in the county, a majority of all its Justices concurring therein, to recommend to the Governor, two proper persons to fill the office, one of whom shall be appointed. Justices of the Peace are county officers, and according to another provision of the constitution, must reside in the county for which they are appointed. It would therefore be a violation of the constitution for the County Court of any county to recommend persons not resident of their county as proper persons to fill the office of Justice of the Peace. But the power of recommendation, conferred by the constitution, implies necessarily, I think, the right of the County Court to select from the whole county two proper persons to fill the office. If this be not the fair construction of the constitution, the power of recommendation may, by Legislative enactment, be cut down and reduced to an idle ceremony. For if it be competent to require, by law, the Justice to reside in a particular neighborhood, upon the same principles, the Justice may be required to reside in a particular house, and therefore, nothing left to be done by the County Court in its recommendation but register the names of the persons directed by the Legislature.

WM. OWSLEY.

January 20th, 1845.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Whitley county be allowed one additional Justice of the Peace, to be commissioned by the Governor.

SEC. 2. *Be it further enacted*, That there be an additional Constable allowed to said county of Whitley, to be located in the district of Henry D. Harman, a Justice of the Peace for said county.

SEC. 3. *Be it further enacted*, That there shall be appointed, for the county of Harlan, one additional Constable, who shall reside in the district of Abraham Slusher, a Justice of the Peace of said county.

SEC. 4. *Be it further enacted*, That there be allowed to the county of Ohio, one additional Justice of the Peace, to reside at or near Briggs' mill, on Caney.

The question was then taken on the passage of said bill, the Governor's objections to the contrary notwithstanding, and decided in the negative, viz:

Those who voted in the affirmative, were—

Messrs. Beard, Glenn—2.

Those who voted in the negative, were—

Mr. Speaker,	Friend,	Marshall, W. C.
Messrs. Anthony,	Gano,	Marshall, T.
Ballinger,	Garrard,	Mason,
Barnett,	Gore,	McHenry,
Bowman,	Graves,	McRery,
Bradley,	Gray, R. B.	Moore,
Brasher,	Gray, W. M.	Nuckolls,
Brown,	Grigsby,	Osburn,
Carter,	Groesbeck,	Parker,
Cessna,	Haggard,	Porter,
Chambers,	Hambleton,	Prewitt,
Chesnut,	Hardy,	Root,
Clark, J.	Harrison,	Runyon,
Clark, W. J.	Haskin,	Salter,
Cleaveland,	Hays,	Shacklett,
Collins,	Heady,	Shawhan,
Copelin,	Hendrix,	Speed,
Corum,	Hobbs,	Stanley,
Cox, A. H.	Hopkins,	Sterett,
Cox, L. B.	Hughes,	Terrill,
Crow,	Humphreys,	Thruston.
Dallam,	Imboden,	Todd, J. F.
Desha,	Johnson,	Todd, R. S.
Dickey,	Jones, J.	Triplett,
Dudley,	Kalfus,	Tully,
Eaker,	Lair,	Waddill,
Early,	Lawless,	Wheat,
Ewing,	Lecompte,	Whitaker,
Ford,	Leslie,	Wright—87.

Mr. Chambers moved the following resolution, viz:

WHEREAS, Agriculture is an interest of paramount importance in this Commonwealth: and whereas, it is the duty of the people's representatives to promote, by all legitimate means, the improvement of that science: and whereas, the Hon. Adam Beatty, of this State, has, from time to time, given to this world sundry able, practical and scientific essays upon the subjects connected with it, for many of which, premiums have been awarded to him, by the State Agricultural Society: and whereas, said essays, with others, have been collected and published in book form: therefore,

Resolved, That the Public Librarian be, and he is hereby directed, to pur-

chase for the use of this House, twelve copies of Beatty's Essays on Agriculture.

Ordered, That said resolution be referred to the committee on Agriculture and Manufactures.

Mr. Chambers moved the following resolution, viz:

Resolved, That on to-day, (the 20th inst.,) and each day thereafter, during the session, it shall be the duty of the Speaker, at half past one o'clock, to announce to the House a recess of one hour and a half, and the House shall accordingly take a recess, and meet again at three o'clock, for the dispatch of business.

Mr. T. Marshall moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chambers and Hays, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ford,	Marshall, T.
Messrs. Anthony,	Friend,	McHenry,
Barnett,	Garrard,	McRery,
Bowman,	Glenn,	Moore,
Bradley,	Gray, R. B.	Nuckolls,
Brasher,	Grigsby,	Porter,
Carter,	Groesbeck,	Root,
Cessna,	Haggard,	Runyon,
Chesnut,	Hambleton,	Speed,
Clark, J.	Haskin,	Stanley,
Cleaveland,	Heady,	Sterrett,
Collins,	Hendrix,	Thornton,
Copelin,	Humphreys,	Thruston,
Corum,	Imboden,	Todd, R. S.
Cox, L. B.	Johnson,	Towles,
Crow,	Jones, J.	Triplett,
Eaker,	Kalsus,	Tully,
Early,	Lecompte,	Waddill,
Ewing,	Marshall, W. C.	Whitaker—57.

Those who voted in the negative, were—

Messrs. Ballinger,	Graves,	Mason,
Brown,	Gray, W. M.	Osburn,
Burnam,	Hardy,	Parker,
Chambers,	Harris,	Prewitt,
Clark, W. J.	Harrison,	Salter,
Cox, A. H.	Hays,	Shacklett,
Dallam,	Hobbs,	Shawhan,
Desha,	Hopkins,	Sea,
Dickey,	Hughes,	Terrill,
Dudley,	Lair,	Todd, J. F.
Gano,	Lawless,	Wheat,
Gore,	Leslie,	Wright—36.

Mr. Triplett moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement be directed to cause a survey of the route of the proposed turnpike road from Lagrange to West Port, in Oldham county, and to have the necessary estimates made, and to submit the same to this House forthwith.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garrard and Graves, were as follows, viz:

Those who voted in the affirmative, were--

Messrs. Chambers,	Hobbs,	Triplett,
Gray, R. B.	Lecompte,	Tully—8.
Haskin,	Thruston,	

Those who voted in the negative, were--

Messrs. Anthony,	Ford,	Mason,
Ballinger,	Friend,	McHenry,
Barnett,	Gano,	McRery,
Beard,	Garrard,	Moore,
Bowman,	Glenn,	Nuckolls,
Bradley,	Gore,	Osburn,
Brasher,	Graves,	Parker,
Brown,	Gray, W. M.	Porter,
Burnam,	Grigsby,	Prewitt,
Carter,	Haggard,	Root,
Cessna,	Hambleton,	Runyon,
Chesnut,	Harris,	Salter,
Clark, J.	Hays,	Shacklett,
Clark, W. J.	Heady,	Shawhan,
Cleaveland,	Hendrix,	Speed,
Copelin,	Hopkins,	Stanley,
Cox, A. H.	Hughes,	Sea,
Cox, L. B.	Humphreys,	Terrill,
Crow,	Imboden,	Thornton,
Dallam,	Johnson,	Todd, J. F.
Desha,	Jones, J.	Todd, R. S.
Dickey,	Kalsus,	Towles,
Dudley,	Lair,	Waddill,
Eaker,	Lawless,	Wheat,
Early,	Leslie,	Whitaker,
Ewing,	Marshall, T	Wright—78.

Leave was given to bring in the following bills, viz:

On motion of Mr. Sterett—1. A bill to amend an act, entitled, an act to amend an act regulating divorces in this Commonwealth, approved 31st January, 1809.

On motion of same—2. A bill for the benefit of Weedon Wilson, Sheriff of Hancock county.

On motion of Mr. Desha—3. A bill to secure and protect the estates of Deaf and Dumb persons not Idiots or Lunatics.

On motion of Mr. Speed—4. A bill to repeal the 9th section of an act, entitled, an act to amend the several acts against unlawful gaming, approved February 2, 1833.

On motion of same—5. A bill to amend an act incorporating the Bourbon Artillery.

On motion of same—6. A bill to amend the bail law in civil cases.

On motion of same—7. A bill to incorporate the Kentucky Horticultural Society.

On motion of Mr. Chesnut—8. A bill to amend an act, approved March 2d, 1844, and entitled, an act to regulate the management of the Wilderness road, and for other purposes.

On motion of same—9. A bill to repeal the 2d section of an act approved February 12, 1844, and entitled, an act to change the time of holding the Letcher and Pike County Courts, and for other purposes.

On motion of Mr. Dallam—10. A bill to amend an act, entitled, an act to incorporate the town of Smithland, and for other purposes, approved March 8, 1843.

On motion of Mr. McRery—11. A bill to change the time of holding the Muhlenburg Circuit Court.

On motion of Mr. Prewitt—12. A bill authorizing the County Courts of Montgomery and Morgan counties to appoint commissioners to superintend the running and marking the line between the above mentioned counties.

On motion of same—13. A bill to change the name of Susannah McGarry to that of Susan Taul.

On motion of same—14. A bill to repeal the law inflicting stripes on the bare back of a white man for certain offences against the laws of this Commonwealth.

On motion of Mr. Graves—15. A bill to amend the law on the subject of the change of venue.

On motion of Mr. Shacklett—16. A bill for the benefit of the Sheriff of Meade county.

On motion of Mr. Leslie—17. A bill to change the place of voting in Monroe county, from James Flippin's, to the house of J. M. Flippin, at the forks of Indian Creek.

On motion of same—18. A bill to establish an additional term to the Monroe County Court.

On motion of Mr. Chambers—19. A bill for the further protection of religious worship.

On motion of same—20. A bill to change the time of holding Military Courts.

On motion of same—21. A bill for the benefit of T. & L. P. Holliday.

On motion of Mr. Triplett—22. A bill to change the time of holding the Anderson Circuit Court.

On motion of Mr. Lair—23. A bill to divorce Eli Hand and Nancy F. Woods, of Pulaski county.

On motion of Mr. McHenry—24. A bill for the benefit of William Pryor.

On motion of Mr. Gano—25. A bill to confirm the action of the Scott County Court in relation to a road.

On motion of Mr. R. B. Gray—26. A bill for the benefit of George Mullikin, and for other purposes.

On motion of same—27. A bill to incorporate the Bowlinggreen Navigation and Manufacturing Company, and for other purposes.

On motion of Mr. Glenn—28. A bill to remove the capital to Louisville, Kentucky.

On motion of Mr. Imboden—29. A bill for the benefit of the Sheriff of Union county.

On motion of Mr. Thornton—30. A bill to regulate the granting of tavern license.

On motion of same—31. A bill concerning the town of Versailles.

On motion of Mr. Beard—32. A bill for the benefit of the heirs and estate of Elisha Franklin, deceased.

On motion of same—33. A bill to amend the law in relation to the poor.

On motion of Mr. Early—34. A bill to allow an additional Justice of the Peace and Constable in Whitley county.

Ordered, That Messrs. Sterett, Brown, Eaker and Hays prepare and bring in the 1st; Messrs. Sterett, Eaker and Bradley the 2d; the committee for Courts of Justice the 3d, 6th, 9th, 10th, 14th, 18th, 21st, 22d, 24th and 30th; Messrs. Speed, T. Marshall and Chambers the 4th; Messrs. Speed, Parker and Wright the 5th; Messrs. Speed, Hobbs and Groesbeck the 7th; the committee on Internal Improvement the 8th, 25th and 27th; Messrs. McReery, Johnson and Hambleton the 11th; Messrs. Prewitt, Harris, W. J. Clark and Mason the 12th; the committee on Religion the 13th, 19th and 23d; Messrs. Graves, Ballinger, Hays, Lair and Beard the 15th; Messrs. Shacklett, Sterett, Bowman and Hambleton the 16th; the committee on Propositions and Grievances the 17th and 31st; the committee on Military Affairs the 20th; Messrs. R. B. Gray, Thornton and Hobbs the 26th; Messrs. Haggard, Corum, Gray, Ewing, Lawless, Lair and Harrison the 28th; the committee on Ways and Means the 29th; Messrs. Beard, Lair and Stone the 32d; Messrs. Beard, Lair, Stone, Leslie and Haggard the 33d, and Messrs. Early, R. S. Todd and J. Jones the 34th.

Mr. Lair moved the following resolution, viz:

Resolved, That the committee for Courts of Justice be instructed to enquire into the expediency and propriety of so amending the penal laws as to abolish capital punishment, and that they report by bill or otherwise.

And the question being taken on the adoption of said resolution, it was decided in the negative.

On motion of Mr. McHenry,

Ordered, That Mr. Collins be added to the committee on the Sinking Fund.

Mr. Glenn moved to take up from the table a bill from the Senate, entitled, an act for the benefit of J. A. McReynolds, Garland Chiles, Nathan Butler, Fleming N. Chiles and others.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chambers and Burnam, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garrard,	Lair,
Messrs. Anthony,	Glenn,	Lecompte,
Barnett,	Graves,	Leslie,
Beard,	Gray, R. B.	Marshall, T.
Bradley,	Haggard,	Mason,
Cessna,	Hambleton,	McRery,
Clark, J.	Harrison,	Moore,
Crow,	Haskin,	Nuckolls,
Dasha,	Heady,	Osburn,
Dickey,	Hendrix,	Prewitt,
Eaker,	Hobbs,	Sterett,
Early,	Hughes,	Sea,
Ewing,	Johnson,	Todd, J. F.
Friend,	Jones, J.	Towles—43.
Gano,		

Those who voted in the negative, were—

Messrs. Ballinger,	Gray, W. M.	Runyon,
Bowman,	Grigsby,	Salter,
Brasher,	Groesbeck,	Shacklett,
Burnam,	Harris,	Shawhan,
Chambers,	Hays,	Speed,
Chesnut,	Hopkins,	Stanley,
Clark, W. J.	Humphreys,	Thornton,
Cleaveland,	Imboden,	Todd, R. S.
Collins,	Kalfus,	Triplett,
Copelin,	Lawless,	Tully,
Corum,	Marshall, W. C.	Waddill,
Cox, A. H.	McHenry,	Wheat,
Dudley,	Parker,	Whitaker,
Ford,	Porter,	Wright—44.
Gore,	Root,	

Mr. Glenn asked leave to bring in the following bills, viz:

A bill to establish a State Bank.

A bill making it incompatible hereafter for the same person to be appointed to the office of County and Circuit Court Clerk, and for other purposes.

And the question being taken on granting the leave, it was decided in the negative.

Mr. Beard asked leave to bring in a bill to abolish capital punishment as to slaves, and to provide, in lieu thereof, for their confinement for a number of years in the State Penitentiary, and afterwards for their exportation and sale.

And the question being taken on granting the leave, it was decided in the negative.

Mr. Heady, from the committee to whom was referred a bill to exempt flat boats descending Green and Barren rivers from paying tolls at the locks, when they leave at points on said rivers above the influence of slackwater, reported the same without amendment.

Mr. Heady moved to refer said bill to the committee on the Sinking Fund.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Salter and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballinger,	Ford,	Johnson,
Bowman,	Glenn,	Jones, J.
Bradley,	Gore,	Marshall, W. C.
Brasher,	Graves,	Marshall, T.
Burnam,	Gray, R. B.	Mason,
Chambers,	Grigsby,	McHenry,
Cleaveland,	Groesbeck,	Moore,
Collins,	Haggard,	Porter,
Corum,	Hambleton,	Shawhan,
Cox, L. B.	Harris,	Stanley,
Crow,	Hays,	Sea,
Desha,	Heady,	Terrill,
Dickey,	Hendrix,	Thornton,
Dudley,	Hobbs,	Todd, R. S.
Eaker,	Imboden,	Wright—45.

Those who voted in the negative, were—

Messrs. Anthony,	Hardy,	Osburn,
Barnett,	Harrison,	Parker,
Beard,	Haskin,	Prewitt,
Carter,	Hopkins,	Runyon,
Chesnut,	Hughes,	Salter,
Clark, J.	Humphreys,	Shacklett,
Clark, W. J.	Kalfus,	Speed,

Copelin,	Lair,	Sterett,
Cox, A. H.	Lawless,	Todd, J. F.
Dallam,	Lecompte,	Towles,
Ewing,	Leslie,	Waddill,
Friend,	McRery.	Wheat,
Garrard,	Nuckolls,	Whitaker—40.
Gray, W. M.		

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Graves—1. A bill establishing a chancery and criminal term of the Marion Circuit Court.

By Mr. Leslie—2. A bill to amend the revenue laws.

By Mr. Chambers—3. A bill to incorporate the Trustees of the Sharon Presbyterian Church, in Bracken county.

By Mr. Brasher—4. A bill for the benefit of the Sheriff of Nicholas county.

By Mr. Cleaveland—5. A bill to amend the road laws of Pendleton county.

By Mr. Thornton—6. A bill for the benefit of the Woodford Guards Riflemen.

By Mr. Sea—7. A bill granting a change of venue to Henry Hoffman.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 4th, 5th, 6th and 7th were severally ordered to be engrossed and read a third time, and the 2d was referred to the committee on Agriculture and Manufactures.

The rule of the House, constitutional provision and third reading of the 1st, 3d, 4th, 5th, 6th and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up the bill the better to protect the purity of elections, and the substitute proposed for said bill.

The said substitute was then amended.

The question was then taken on the adoption of the substitute, as amended, and decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time, and is as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*. That the provisions of this act shall have reference, and be applicable to all elections hereafter to be holden for Governor, Lieutenant Governor, Senators and Representatives to the General Assembly, Representatives to Congress, Electors of President and Vice President of the United States, and all other public elections which may be by law directed, for County, State, or General Government purposes.

SEC. 2. The Judges of elections, in determining the residence of persons offering to vote, shall be governed by the following rules, so far as may be applicable:

First. That place shall be held the residence of a person, in which his habitation is fixed, and to which, whenever he is absent, he has the intention of returning.

Second. A person shall not be held to have lost his residence, when he goes into another State, or county of this State, for temporary purposes merely, with an intention of returning.

Third. A person shall not be held to have gained a residence, in any county of this State into which he shall come for temporary purposes merely, without the intention of making said county his home, but with the intention of leaving the same, when he shall have gotten through with the business that brought him into it.

Fourth. If a person remove to another State, with an intention to make it his permanent residence, he shall be held to have lost his residence in this State.

Fifth. If a person remove to another State, with the intention of remaining there for an indefinite time, and as a place of present residence, he shall be held to have lost his residence in this State, notwithstanding he may entertain an intention to return at some future period.

Sixth. The place where a married man's family resides, shall, generally, be considered and held to be his residence; but if it is a place of temporary establishment for his family, or for transient objects, it shall be otherwise.

Seventh. If a married man has his family fixed in one place, and he does his business in another, the former shall be held his residence.

Eighth. The mere intention to acquire a new residence, without the fact of removal, shall avail nothing: neither shall the fact of removal without the intention.

Ninth. If a person shall go into another State, and while there, exercise the right of a citizen, by voting, he shall be held to have lost his residence in this State.

SEC. 3. No Elector shall vote except in the precinct in which he actually resides, or at the Court House of his county. And it shall be the duty of all the County Courts of this State, at their next April or May term, where there are precincts in their counties, to define and mark out, by specific boundaries, (ascertained, when practicable, by natural boundaries,) such precincts; and the Sheriffs of the several counties shall post, or cause to be posted, a written or printed notice of the boundaries thereof, at the door of the Court House, and at the door of the house in each precinct in which the voting is directed to be done, at least two months previous to the first Monday of August next; and any person who shall wilfully vote in the precinct to which he does not belong, (except at the Court House of his county,) except the candidates and officers of the election, who shall be permitted to vote at the precinct where they preside as officers, though they may reside in another precinct, shall, on conviction thereof before any Magistrate in his county, be fined in the sum of fifty dollars, and on failure to pay the same, shall be kept in the county jail for thirty days.

SEC. 4. Any person, being a resident of this State, who shall go or come into any county, and vote in such county, not being a resident thereof, shall, on conviction thereof, be imprisoned in the Penitentiary not more than two years, nor less than six months.

SEC. 5. Any person who shall vote more than once at the same election, shall, on conviction thereof, be imprisoned in the Penitentiary not more than three, nor less than one year.

SEC. 6. Any resident of another State who shall vote in this State, shall, on conviction thereof, be imprisoned in the Penitentiary for not more than three, nor less than one year.

SEC. 7. Any person who shall vote in this State before he has resided therein two years, or in the county in which he lives one year, or attained the age of twenty one years, as provided in the Constitution, shall be fined the sum of fifty dollars, before any Magistrate in his county; and in case of his failure to pay the same, shall be confined in the county jail for thirty days.

SEC. 8. And any person who is not a citizen of the Untited States, or who shall personate or offer to personate another person, or shall use or offer to use the naturalization papers of any other person, either dead or living; or any person who shall loan or hire out such naturalization papers, with the view to enable such person to give an illegal vote, shall, upon conviction thereof, be confined in the Jail and Penitentiary for a period not less than six months, nor more than three years.

SEC. 9. Any person who shall procure, bribe, aid, cause, advise, or assist another to give his vote at any election, knowing that such person is not legally entitled to a vote, shall be subject to the same penalty that such person, so illegally voting, is made subject to under this act, or the existing laws of this State.

SEC. 10. No Judge of any election shall permit any person to vote who he knows to be an illegal voter, though such person may be willing to be sworn to his qualification; being nevertheless responsible for any wilful refusal to receive a good vote, as heretofore. And when any Judge or Judges of an election shall have cause to believe that any person offering to vote is not a *bona fide* citizen or legal voter, such Judge shall be authorized and empowered to call or summon such witnesses or by-standers as he may choose, and examine them, on oath, touching the same; and any person so called on or summoned, and who shall willfully fail and refuse to appear and answer such interrogatories, (without good cause shown,) as may be put to them, shall be liable to a fine of fifty dollars, recoverable (as shall be all other fines mentioned in the preceding sections of this act,) for the benefit of the county in which he lives, before any Magistrate thereof. And it shall be the duty of the Judges of the several elections where such persons fail to appear, and testify as aforesaid, in all cases to prosecute, and for their failure so to do, shall be liable to a like penalty, recoverable before any Magistrate of the county—one half to the use of the informer, and the other to the county.

SEC. 11. If any person shall be charged with a violation of any of the provisions of the foregoing act, during the time of election, upon oath, either Judge of such election, or any Justice of the Peace present, when such charge is made on oath, shall issue, immediately, to the Sheriff of the election, or to any Constable or Sheriff of the county, process, requiring such person to be taken forthwith into custody, and remanded to the jail of the county, to await prosecution before a Justice of the Peace, if his offence be punishable by a pecuniary penalty; or the action of the next Grand Jury of the county, if the charge against him be punishable by confinement in

the Penitentiary: unless the person so charged shall enter into bond with approved security or securities, each in the penal sum of not less than two hundred dollars, for his appearance; and the informer shall be required to enter into recognizance to appear and prosecute, in the penalty of not less than four hundred dollars.

SEC. 12. In all cases where naturalized citizens are permitted to vote, they shall be required to present their naturalization papers to the Judges, unless it is personally known to one of them, that such person or persons have been regularly naturalized.

SEC. 13. When any person shall refuse to take the oath or affirmation tendered by either of the Judges, his vote shall be rejected; and whenever any person offering to vote shall be sworn, it shall be the duty of the Clerks of the election, in all cases, to write on the poll book at the end of such person's name, the word sworn.

SEC. 14. It shall be the duty of Judges, Sheriffs, and Clerks of elections, in all cases where the provisions of this act are violated, to inform against offenders; and when they are sworn in, it shall be the duty of the Magistrates, or other persons qualifying them, to set forth and administer to them the following oath: "You do solemnly swear that you will well, faithfully, and impartially discharge the duty incumbent on you, (as Judge, Sheriff, or Clerk, as the case may be,) in conducting the election according to law; and that you will faithfully and diligently inform against each and every person who shall be guilty of violating the same."

SEC. 15. If any Judge of an election shall, knowingly, receive or sanction the reception of a vote from any person, not having all the qualifications of an elector, prescribed by law; or if any Clerk or Judge of the election on whom any duty is enjoined by this act, shall be guilty of any wilful neglect of such duty, or of any corrupt conduct in the execution of the same, such Judge or Clerk, on conviction thereof, shall be fined not less than fifty, nor more than five hundred dollars; and on failure to pay the same, shall be kept in the county jail one day for each two dollars of his fine.

SEC. 16. If any person, challenged as unqualified to vote, shall be guilty of wilful and corrupt false swearing, or affirming, in taking any oath or affirmation prescribed by this act, such person shall be adjudged guilty of wilful and corrupt perjury, and upon conviction thereof, shall suffer the punishment attached by the laws of this State to the crime of perjury.

SEC. 17. This act shall be given specially in charge to the Grand Juries at each term of Criminal and Circuit Courts, by the presiding Judge thereof; and all acts and parts of acts coming within the perview of this act, are hereby repealed.

SEC. 18. If the person be challenged as unqualified on the ground that he is not a citizen of this State, the Judges, or one of them, shall put the following questions:

First. Have you resided in this State two years, or in this county one year, immediately preceding this election?

Second. Have you been absent from this State during the said two years immediately preceding this election? If yes, then

Third. When you left, did you leave for a temporary purpose, with the design of returning, or for the purpose of remaining away?

Fourth. Did you, while absent, look upon and regard this State your home? or did you, while absent, vote in any other State?

SEC. 19. If the person be challenged as unqualified, on the ground that he is not a resident of the county where he offers to vote, the Judges, or one of them, shall put the following questions:

First. When did you last come into this county?

Second. When you came into this county, did you come for a temporary purpose merely, or for the purpose of making it your home?

Third. Did you come into this county for the purpose of voting in it?

SEC. 20. *Be it further enacted,* That the Circuit Courts shall have jurisdiction in all cases of fines or penalties specified in this act, to be recoverable by indictment; and it shall be the duty of the Commonwealth Attorneys, diligently to enquire into, and prosecute the same, and for all money collected under this act, he shall be, and is hereby allowed ten per cent. on the same.

SEC. 21. *Be it further enacted,* That it shall be the duty of every Judge of an election, when he shall have grounds to believe that any person is about to violate any of the provisions of this act, to apprise him of the penalty for such violation.

SEC. 22. *Be it further enacted,* That the provisions of this act shall not be construed to prevent any Judge or Judges of elections from propounding to any person offering to vote, any additional interrogatories which may be deemed necessary to elicit the whole truth.

SEC. 23. *Be it further enacted,* That the 11th section of this act shall not be so construed as to authorize the commitment of any person without a hearing, as in ordinary trials for breaches of the penal laws of this State.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed.

Mr. Burnam moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chambers and Eaker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Glenn,	Osburn,
Messrs. Ballinger,	Gore,	Parker,
Bowman,	Gray, R. B.	Porter,
Burnam,	Grigsby,	Prewitt,
Carter,	Groesbeck,	Root,
Cessna,	Hardy,	Runyon,
Chambers,	Harris,	Salter,
Chesnut,	Harrison,	Speed,
Clark, W. J.	Hays,	Stanley,
Collins,	Heady,	Sterett,
Corum,	Hobbs,	Terrill,
Cox, A. H.	Hopkins,	Thornton,
Cox, L. B.	Johnson,	Thruston.
Crow,	Jones, D. E.	Todd, J. F.

Dallam,	Kalsus,	Todd, R. S.
Desha,	Lair,	Triplet,
Dickey,	Lawless,	Tully,
Early,	Leslie,	Waddill,
Ewing,	Marshall, W. C.	Wheat,
Ford,	Marshall, T.	Whitaker,
Friend,	McHenry,	Wright—65.
Gano,	McRery,	

Those who voted in the negative, were—

Messrs. Anthony,	Eaker,	Imboden,
Barnett,	Garrard,	Lecompte,
Beard,	Graves,	Mason,
Bradley,	Gray, W. M.	Moore,
Brasher,	Haggard,	Nuckolls,
Clark, J.	Hambleton,	Shacklett,
Cleaveland,	Hendrix,	Shawhan,
Copelin,	Hughes,	Stone,
Dudley,	Humphreys,	Towles—27.

Resolved, That the title thereof be as aforesaid.

Mr. Speed moved the following resolution, viz:

Resolved, That the late Keeper of the Penitentiary be requested to deposit the books, in which the account of sales were kept, during the last five years of his term of office, in the State Library, there to remain during the present session of the Legislature, as a matter of reference for the committee on the Penitentiary.

Which was adopted.

A resolution from the Senate fixing a day for the election of Public Officers, was taken up, twice read, and concurred in.

And then the House adjourned.

TUESDAY, JANUARY 21, 1845.

A message was received from the Senate announcing the passage of bills from this House, of the following titles, viz:

An act for the benefit of Edward Lewis, Sheriff of Green county.

An act for the benefit of James Angel.

With amendments to the last.

That they had passed bills of the following titles, viz:

An act for the benefit of Fayette Posey, of the county of Henderson.
An act to change the terms of the Logan, Allen, Edmonson, and Simpson Circuit Courts.

An act to change the place of voting in the Little Fork precinct, in Carter county, to the house of James Boggs, of said county.

And had adopted resolutions relative to the purchase of sites and the erection of Hospitals, by the Federal Government, at Louisville and Paducah.

1. Mr. Bradley presented the remonstrance of sundry citizens of Hopkins county, against the formation of a new county out of parts of Muhlenburg, Daviess and Ohio counties.

2. Also, the remonstrance of sundry citizens of Hopkins county, against the formation of a new county out of parts of Hopkins, Union, Caldwell and Crittenden counties.

3. Mr. Stanley presented the remonstrance of sundry citizens of Henderson county, against the formation of a new county out of parts of Muhlenburg, Daviess and Ohio counties.

4. Mr. Bradley presented the petition of Morton Pennington, praying a change of venue in the prosecution pending in the Muhlenburg Circuit Court, against him, for felony.

5. Mr. R. S. Todd presented the petition of James Hildreth, praying a change of venue in the prosecution now pending against him in the Fayette Circuit Court for felony.

6. Mr. Glenn presented the petition of sundry citizens of the county of Todd, praying that control of the Logan, Todd and Christian Turnpike Road, be given to the County Courts of the counties through which said road passes.

7. Also, the petition of James G. Roach, praying that the proceedings of the Todd County Court, in the grant of administration to him of the estate of his deceased brother, may be legalized.

8. Mr. Speed presented the petition of M. R. Stealey, praying that compensation be made him for services rendered as an architect, in the construction of the new Penitentiary.

Which were received, the reading thereof dispensed with, and referred—the 1st, 2nd and 3rd to the committee on Propositions and Grievances; the 4th to Messrs. Bradley, Crow, Hamilton, Hughes, McRery and Harrison; the 5th to the committee for Courts of Justice; the 6th to the committee on Internal Improvement; the 7th to Messrs. Glenn, J. F. Todd, Burnam, Harrison and Dickey, and the 8th to the committee on the Penitentiary.

Resolutions from the Senate, relative to the purchase of sites and the erection of Hospitals, by the Federal Government, at Louisville and Paducah, were taken up, twice read, and concurred in.

Mr. Lawless, from the committee to whom was referred a bill exempting certain property from execution, with the amendment proposed thereto, reported the same with an amendment, as a substitute for said bill and amendment.

On motion of Mr Ewing,

Ordered, That said bill and amendments be laid on the table for the present.

Mr. Dallam, from the committee on enrollments, reported that the committee had examined a resolution from the Senate fixing a day for the election of Public Officers, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Terrill—1. A bill to amend the act incorporating the town of Paducah, and for other purposes.

By Mr. Root—2. A bill to incorporate the Campbell Turnpike Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hardy, from the Committee on Religion, made the following report, to-wit:

The Committee on Religion have, according to order, had under their consideration, the petition of Eliza Jane Roberts, praying to be divorced from her husband, Oscar Roberts. The petitioner asks relief at the hands of this Legislature, because of her immature age, and not acquainted with the ways of the world. She says she has been deceived; that she has married a man who she has since learned, was of desperate bad character, and the marriage effected upon a license obtained by perjury, which is shown by a certified copy of the records of the Floyd Circuit Court, of the State of Indiana, by which it appears that one John Coburn, was indicted for making his affidavit, and swearing falsely to the age and residence of the petitioner, in the State of Indiana, by which the license was obtained; and upon final hearing, the said Coburn was sentenced to fine and imprisonment. The committee are unanimous in the opinion, that the petitioner is entitled to relief, because of the former dissolute habits of Roberts, and the corrupt means used in obtaining the marriage license.

The committee beg leave here to say, that they unanimously concur in the opinion, that the evidence in the case does not inculpate Mrs. Chamberlin in her character and standing in society.

The committee recommend the passage of a bill, releasing said Eliza Jane and Oscar, from marriage bonds.

Mr. Hardy, from the same committee, reported a bill to divorce Oscar and Eliza Jane Roberts, and to change the name of the said Eliza Jane to that of Eliza Jane Chenowith; which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The question was then put, shall the bill be engrossed and read a third time?

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

A message was received from the Senate, by Mr. Harris, announcing that they were then ready to proceed with the election of Public Officers.

Mr. Chambers nominated Mr. James Davidson as a proper person to fill the office of Treasurer; and after interchanging nominations, the House proceeded to take a vote, when Mr. James Davidson received the unanimous vote of this House.

Messrs. Ford and Lawless were appointed a committee on the part of this House, to compare the joint vote and report the result.

After a short time, Mr. Ford reported that Mr. James Davidson had received the unanimous vote of both Houses.

Whereupon he was declared duly elected Treasurer of this Commonwealth for the ensuing year.

After interchanging nominations between the two Houses, this House proceeded to vote for Public Printer.

And Mr. Albert G. Hodges received a majority of the votes of this House.

The same committee were appointed to compare the joint vote and report the result.

In a short time Mr. Ford reported that Mr. Albert G. Hodges had received a majority of all the votes given.

Whereupon, he was declared duly elected Public Printer of this Commonwealth for the ensuing year.

This House then proceeded to vote for Public Librarian, and the vote stood thus:

Those who voted for Mr. George A. Robertson were—

Mr. Speaker,	Gale,	MoHenry,
Messrs. Anthony,	Gano,	McRery,
Ballinger,	Garrard,	Moore,
Barnett,	Glenn,	Osburn,
Bradley,	Gore,	Parker,
Brasher,	Gray, R. B.	Porter,
Brown,	Gray, W. M.	Prewitt,
Burnam,	Grigsby,	Root,
Carter,	Groesbeck,	Russell,
Chambers,	Hambleton,	Salter,

Chesnut,	Haskin,	Shacklett,
W. J. Clark,	Hays,	Shanklin,
Cleaveland,	Heady,	Speed,
Copelin,	Hendrix,	Stanley,
Corum,	Hobbs,	Stereitt,
Cox, A. H.	Hopkins,	Sea,
Cox, L. B.	Hughes,	Terrill,
Crow,	Imboden,	Thornton,
Dallam,	Johnson,	Thruston,
Desha,	Jones, D. E.	Todd, J. F.
Dickey,	Kalfus,	Todd, R. S.
Dudley,	Lecompte,	Tully,
Eaker,	Marshall, W. C.	Waddill,
Ewing,	Marshall, T.	Whitaker,
Ford,	Mason,	Wright—76.
Friend,		

Those who voted for Mr. James Monroe were—

Messrs. Ballingal,	Harrison,	Nuckolls,
Beard,	Humphreys,	Runyon,
Cessna,	Jones, J.	Shawhan,
Early,	Lair,	Stone,
Haggard,	Lawless,	Triplett,
Hardy,	Leslie,	Wheat—18.

The same committee was directed to compare the joint vote and report the result.

Mr. Ford reported that the joint vote stood thus:

For Mr. G. A. Robertson,	- - - - -	108.
For Mr. James Monroe,	- - - - -	23.

Mr. George A. Robertson having received a majority of all the votes given, was declared to be duly elected Public Librarian for the ensuing year.

The House then proceeded to vote for a President and two Directors of the Bank of the Commonwealth, and Mr. Owen G. Cates received the unanimous vote of this House for President, and Messrs. James Davidson and Thomas S. Page, the unanimous vote for Directors.

The same committee was directed to compare the joint vote and report the result.

Mr. Ford reported that Messrs. Owen G. Cates, James Davidson and Thomas S. Page had received the unanimous vote of both Houses.

Whereupon, Mr. Owen G. Cates was declared to be duly elected President, and Messrs. James Davidson and Thomas S. Page, Directors of the Bank of the Commonwealth for the ensuing year.

The House then proceeded to vote for a Commissioner of the Lunatic Asylum, and Mr. Nathaniel S. Shaw received the unanimous vote of this House.

The same committee was directed to compare the joint vote and report the result.

Mr. Ford reported that Mr. Nathaniel S. Shaw had received the unanimous vote of both Houses.

Whereupon, he was declared duly elected Commissioner of the Lunatic Asylum.

And then the House adjourned.

WEDNESDAY, JANUARY 22, 1845.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to allow an additional term to the Lincoln County Court, and an additional Justice of the Peace to Lincoln county.

An act for the benefit of Lucy G. Cocke, and her children.

An act for the benefit of John Wiggins Flora.

An act to allow an additional Justice of the Peace to Barren county, and for other purposes.

An act to amend an act, entitled, an act incorporating the town of Bardstown.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to amend an act, entitled, an act for the benefit of Merial Deneal, of Spencer county.

An act to change the times of holding the Muhlenburg and Boyle Circuit Courts.

An act for the benefit of the administrator and heirs at law of Thomas Rogers, deceased.

And had received official information from the Governor, that he had approved and signed an enrolled resolution which originated in the Senate, fixing a day for the election of Public Officers.

1. Mr. Ewing presented the petition of Nathaniel Furguson, praying that he be permitted to vend goods, as a pedler, without obtaining a license.

2. Mr. Russell presented the petition of Lloyd K. Goodwin, praying that he and his family be permitted to pass through the toll gate near his farm, on the Lexington and Winchester Turnpike Road, free of toll.

3. Mr. Speed presented the petition of John Cook, praying a change of

venue in the prosecution pending against him in the Jefferson Circuit Court, for arson.

4. Mr. McRery presented the petition of James Weir, praying the passage of a law authorizing the Governor to issue bonds of a less size than one thousand dollars in exchange for six year bonds.

5. Mr. Dudley presented the petition of John R. Beard, praying to be divorced from his wife, Druscilla Beard.

6. Mr. Heady presented the petition of Archibald Burnes, praying to be divorced from his wife, Mary Burnes.

7. Mr. Gano presented the petition of William Kinniman, praying permission to change a part of a State road passing through his farm, in Scott county.

8. Mr. Bradley presented the petition of Frederick Ivey, a free man of color, praying that permission be given him to reside in this State.

9. Mr. T. Marshall presented the petition of Richard H. Ranson, praying that the damages assessed on a certain tract of land, forfeited to the State, for the non-payment of taxes, may be released.

Which were received, the reading thereof dispensed with, and referred—the 1st and 9th to the committee on Ways and Means; the 2d, 3d and 8th to the committee for Courts of Justice; the 4th to the committee on the Sinking Fund; the 5th and 6th to the committee on Religion, and the 7th to the committee on Internal Improvement.

Mr. Dallam, from the joint committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Edward Lewis, Sheriff of Green county.

An act for the benefit of L. B. Stark.

An act to repeal the first section of an act limiting the number of Justices of the Peace in the county of Wayne, and for other purposes.

An act for the benefit of Lois Smallwood.

An act for the benefit of the widow and heirs at law of John McElya, deceased.

An act for the benefit of the heirs and administrator of John Q. Thompson, deceased.

An act to allow two additional Justices of the Peace to the county of Cass, and for other purposes.

An act for the benefit of the Sheriffs of Graves and Perry counties.

An act amendatory of the several acts concerning the town of Newport, Kentucky.

An act for the benefit of James Venable, of Shelby county.

An act to amend the road law in Greenup county.

An act for the benefit of David Janes and his wife.

An act to authorize the young men of Russellville to have a Thespian Society without license.

An act for the benefit of Isaac Bolt.

An act for the benefit of William Berry and wife, of Adair county.

An act to allow an additional Justice of the Peace to the county of Trimble.

An act to reduce the number of Justices of the Peace in the county of Boone.

An act for the benefit of Stephen M. Farish, Jailer of Morgan county.

An act to establish an additional election precinct in Harlan county.

An act for the benefit of Thomas Cross.

An act to revive the act concerning the town of New Liberty, approved 27th February, 1844.

An act for the benefit of Hiram Begley.

An act for the benefit of George O. Thompson.

An act to allow an additional Constable in Ballard county, and for other purposes.

An act requiring certain duties of the Commissioner's of Tax and County Court Clerks, before the County Court shall receive the Commissioner's books.

An act for the benefit of Daniel Bailey, and for other purposes.

An act to amend the act incorporating the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.

An act to provide for a change of venue in the prosecution against Addison, a slave.

An act to incorporate the Richmond Female Institute.

An act to legalize the proceedings of the Estill County Court, held in October, 1844.

An act to prevent fraud in the sale of salt.

An act to incorporate the Trustees of the Centre Point Meeting House, in Monroe county.

An act for the benefit of Aquilla Hoskins.

An act to incorporate the Trustees of the Tompkinsville Old School Presbyterian Church, in Monroe county.

An act to change an election precinct in the county of Perry, and for other purposes.

An act allowing an additional Justice of the Peace to the county of Greenup.

An act to legalize the appointment of Benjamin Alsop, Constable of Daviess county.

An act the better to define the western and southern limits of the City of Louisville, and for other purposes.

An act to change the election precinct held at James Butler's, in Adair county, to John S. Coleman's, in said county.

An act regulating the precincts of Jefferson county, and for other purposes.

An act to amend an act, entitled, an act to regulate the management of the Wilderness road, and for other purposes, approved March 2, 1844.

An act for the benefit of Ann M. Prewitt.

And enrolled bills which originated in the Senate, of the following titles, to-wit:

An act providing for a change of venue in the prosecution against Joseph N. Allen.

An act for the benefit of Constant A. Wilson, of Logan county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

Mr. R. S. Todd moved the following resolution, viz:

Resolved, That the use of this Hall be tendered for an exhibition of the pupils of the Institution for the Education of the Blind, on this evening at 7 o'clock.

Mr. Speed moved to amend by adding the following:

"And to Mr Peters on Friday evening at 7 o'clock, P. M."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The said resolution, as amended, was then adopted.

Mr. Crow read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be, and he is hereby requested and authorized, to furnish to each member of the present General Assembly with one copy of the sixth census of the United States, except to such members as have heretofore received one copy of said census.

A message was received from the Senate, by Mr. Crenshaw, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act for the benefit of William H. Richardson, which was granted, and the bill withdrawn.

The House again resumed the consideration of a bill for the divorce of Eliza Jane and Oscar Roberts, and to change the name of said Eliza Jane to that of Eliza Jane Chenowith.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the marriage contract between Eliza Jane Roberts and Oscar Roberts be, and the same is hereby dissolved, and each of them are restored to all the rights and privileges of unmarried persons, and the said Eliza Jane is hereby restored to her maiden name, Eliza Jane Chenowith.

Mr. Ewing moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill be engrossed and read a third time? and it was decided in the affirmative.

Mr. Thruston moved to dispense with the third reading of said bill, the same being engrossed.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. T. Marshall and Stone, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Glenn,	McRery,
Messrs. Anthony,	Gore,	Moore,
Ballinal,	Graves,	Nuckolls,
Ballinger,	Gray, W. M.	Osburn,
Barnett,	Grigsby,	Parker,
Bowman,	Groesbeck,	Prewitt,
Burnam,	Haggard,	Root,
Carter,	Hambleton,	Runyon,
Cessna,	Hardy,	Russell,
Chambers,	Harris,	Salter,
Chesnut,	Harrison,	Shanklin,
Clark, J.	Haskin,	Shawhan,
Clark, W. J	Hays,	Speed,
Collins,	Heady,	Stanley,
Copelin,	Hendrix,	Sterett,
Corum,	Hobbs,	Sea,
Cox, A. H.	Hopkins,	Terrill,
Cox, L. B.	Hughes,	Thornton,
Crow,	Jones, D. E.	Thruston.
Dasha,	Kalfus,	Todd, J. F.
Dickey,	Lair,	Todd, R. S.
Eaker,	Lawless,	Towles,
Early,	Lecompte,	Tully,
Ewing,	Leslie,	Waddill,
Ford,	Marshall, W. C.	Wheat,
Gale,	Mason,	Whitaker,
Gano,	McHenry,	Wright—81.

Those who voted in the negative, were—

Messrs. Beard.	Dudley,	Imboden,
Bradley,	Friend,	Jones, J.
Brasher,	Garrard,	Marshall, T.
Brown,	Gray, R. B.	Shacklett,
Cleaveland,	Humphreys,	Stone—16.
Dallam,		

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garrard and Dickey, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gano,	McHenry,
Messrs. Anthony,	Glenn,	McRery.
Ballingal,	Gore,	Moore,
Ballinger,	Graves,	Osburn,
Barnett,	Gray, W. M.	Parker,
Bowman,	Grigsby,	Prewitt,
Burnam,	Groesbeck,	Root,
Carter,	Haggard,	Runyon,
Cessna,	Hambleton,	Russell,
Chambers,	Hardy,	Salter,
Clark, J.	Harris,	Shanklin,
Clark, W. J.	Harrison,	Speed,
Collins,	Haskin,	Stanley,
Copelin,	Heady,	Sterett,
Corum,	Hendrix,	Sea,
Cox, A. H.	Hobbs,	Terrill,
Cox, L. B.	Hopkins,	Thornton,
Crow,	Hughes,	Thruston,
Desha,	Johnson,	Todd, J. F.
Dickey,	Lair,	Todd, R. S.
Dudley,	Lawless,	Towles,
Eaker,	Lecompte,	Waddill,
Ford,	Marshall, W. C.	Wheat,
Gale,	Mason,	Wright—72.

Those who voted in the negative, were—

Messrs. Beard,	Friend,	Leslie,
Bradley,	Garrard,	Marshall, T.
Brasher,	Gray, R. B.	Nuckolls,
Brown,	Humphreys,	Shacklett,
Chesnut,	Imboden,	Shawhan,
Cleaveland,	Jones, D. E.	Stone,
Dallam,	Jones, J.	Tully,
Early,	Kalfus,	Whitaker—25.
Ewing,		

Resolved, That the title thereof be as aforesaid.

Mr. Hardy, from the committee on Religion, to whom was referred the petition of Nancy Clayton; the petition of Asa Smith, and the petition of John Turner, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Hardy, from the same committee, to whom was referred the petition of John Hobgood, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Bradley moved to amend said resolution by striking out the words "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Hardy, from the same committee, to whom was referred a bill for the benefit of Fanny Beall, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title be amended by adding "and Susannah McGary."

Mr. J. F. Todd, from the committee on Internal Improvement, to whom was referred the petition of S. B. & J. H. Curren, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Religion—1. A bill divorcing Charles S. Graham.

By the committee on Ways and Means—2. A bill for the benefit of the Sheriffs of Marshall, Calloway, Larue and Union counties.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. F. Todd, from the committee on Internal Improvement, to whom was referred leave to bring in a bill making an appropriation for the completion of the Louisville and Elizabethtown Turnpike Road, from Elizabethtown to Westpoint, on the Ohio river, asked to be discharged from the further consideration thereof, which was granted.

Mr. J. F. Todd, from the same committee, reported a bill to repair Lock and Dam No. 1, on Barren river, which was read the first time, as follows, to-wit:

WHEREAS, Defects in the original construction of Lock No. 1, in Barren river, have rendered said Lock impassable, thereby causing the Lock and Dam to operate as an almost total obstruction of the navigation of said river: and whereas, according to the estimate submitted by the Board of In-

ternal Improvement, the sum of ten thousand and two dollars will be required to repair said work: therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That to provide the means of repairing the above work, the Governor of this Commonwealth be, and he is hereby authorized, to sell the bonds or scrip of the State, in sums not less than one thousand dollars, bearing an interest of six per centum per annum, payable semi-annually, at any place within the United States, redeemable at any time after thirty years, and at not less than par value in Kentucky currency: *Provided*, That the amount to be sold under this act, shall not exceed the amount of the unexpended balance of the specific appropriation to Green and Barren rivers in the years 1840-'41 and 1841-'42, amounting to ten thousand six hundred and eleven dollars.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Corum moved to amend said bill by adding thereto the following section, viz:

Be it further enacted, That there shall be appropriated five thousand dollars for the completion of the Owingsville and Big Sandy Turnpike Road.

Mr. Heady moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stone and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Friend,	Jones, J.
Barnett,	Gale,	Lair,
Beard,	Graves,	Lecompte,
Bowman,	Gray, R. B.	Mason,
Bradley,	Haggard,	Nuckolls,
Brown,	Hambleton,	Osburn,
Carter,	Harris,	Shacklett,
Cessna,	Haskin,	Sterett,
Chesnut,	Heady,	Stone,
Dallam,	Hughes,	Towles,
Dudley,	Humphreys,	Triplett,
Eaker,	Imboden,	Wheat—37.
Early,		

Those who voted in the negative, were—

Mr. Speaker,	Gore,	Porter,
Messrs. Anthony,	Gray, W. M.	Prewitt,
Ballinger,	Grigsby,	Root,
Brasher,	Groesbeck,	Runyon,
Burnam,	Hardy,	Russell,
Chambers,	Harrison,	Salter,
Clark, W. J.	Hays,	Shanklin,

Cleaveland,	Hendrix,	Shawhan,
Collins,	Hopkins,	Speed,
Copelin,	Johnson,	Stanley,
Corum,	Jones, D. E.	Sea,
Cox, A. H.	Kalfus,	Terrill,
Cox, L. B.	Lawless,	Thornton,
Crow,	Leslie,	Thruston,
Desta,	Marshall, W. C.	Todd, J. F.
Dickey,	Marshall, T	Todd, R. S.
Ewing,	McHenry,	Tully,
Ford,	McRery,	Waddill,
Gano,	Moore,	Whitaker,
Garrard,	Parker,	Wright--61.
Glenn,		

The question was then taken on the adoption of the amendment proposed by Mr. Corum, and decided in the negative.

Ordered, That said bill be engrossed and read a third time.

Mr. J. F. Todd, from the same committee, reported a bill to amend an act, approved March 2, 1844, and entitled, an act to regulate the management of the Wilderness road, and for other purposes, which was read the first time.

The question was then put on ordering said bill be read a second time.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House then resolved itself, according to order, into a committee of the Whole, on the bill to amend the revenue laws—Mr. Ford in the chair—and after some time spent therein, the Speaker resumed the chair, when Mr. Ford reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House, which he handed in at the Clerk's table.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act to amend an act, entitled, an act to amend the Revenue laws, approved March 10, 1843, which imposes a specific tax on gold and silver watches, carriages, barouches, buggies, spectacles, and pianos, shall be, and the same is hereby repealed: and that, hereafter, the Commissioners of Tax, in the several counties of this Commonwealth, shall be, and they are hereby required, when taking in lists of taxable property in their respective counties, to fix the value of every carriage, barouche, buggy, gold or silver watch, and piano, owned by the person giving in his or her list of taxable property, as slaves and horses are now required to be valued by them; upon which the same tax shall be paid, and the same proceedings in all respects had, as upon other property subject to the *ad valorem* tax: *Provided*, That silversmiths and jewelers, who keep watches for sale as merchandise, and manufacturers of carriages, barouches, buggies, or other vehicles of pleasure, and pianos, or persons keeping them for sale, and not for

their own use, shall not be required to enter them for taxation, otherwise than as heretofore provided by law.

SEC. 2. *Be it further enacted*, That an act, entitled, an act to equalize taxation, approved February 23, 1837, be, and the same is hereby repealed: and that, hereafter, all persons, when giving in a list of taxable property, shall be, and they are hereby required, to fix a sum sufficient to cover what they shall respectively be worth from all sources, on the day to which said lists relate, exclusive of the property required, by the first section of this act, to be listed for taxation, and exclusive of all other property, required by law, to be listed for taxation, (not computing therein, lands not within this Commonwealth, nor other property out of this State, subject to taxation by the laws of the country where situated,) upon which the same *ad valorem* tax shall be paid as upon other property subject to taxation, and to be collected and accounted for by the Sheriffs, at the same time, and in the same manner, that other taxes are collected and accounted for: *Provided, however,* That nothing herein contained, shall be so construed as to include the growing crop on land listed for taxation, or articles manufactured in the family for family consumption.

SEC. 3. *Be it further enacted*, That hereafter, the Commissioners of Tax in the several counties, in listing for taxation the stock in trade of dealers in goods, wares, and merchandise, shall have the power, if deemed necessary, to require of the party giving in their lists, to give in, on oath, the full value of their stock, which may be on hand on the 10th day of April next, and on the 10th day of April in each and every year thereafter; and for that purpose, shall call on such dealers of goods, wares, and merchandise, between the 10th day of April and the 1st day of May, in each and every year, for such list, and any such person failing or refusing to comply with the requisitions of this section, shall be liable to the fines and penalties now imposed, by law, for failing or refusing to give in their lists of taxable property to Commissioners of Tax.

SEC. 4. *Be it further enacted*, That every person who shall, after the 1st day of May, in each and every year, remove into this State, or shall bring or send into this State, any goods, wares, and merchandise, and shall open, expose to sale, or vend such goods, wares, and merchandise, shall be required to give into the Commissioner or Commissioners of Tax, of the county, when such goods, wares, and merchandise shall be opened, exposed to sale, or vended, the value thereof for taxation, according to the provisions of existing laws; and for a failure to do so, shall be deemed and considered a pedler, within the meaning of the act, entitled, an act to amend the laws concerning pedlers. And said Commissioner, and the Clerks of the County Courts, and Sheriffs, shall, in all respects, in relation to such additional lists, be governed by the laws now in force.

SEC. 5. *Be it further enacted*, That it shall be, and is hereby made the duty of the Attorney General and Secretary of State, to digest all the revenue laws now in force in this Commonwealth, on or before the 1st day of July next, and they shall deliver a copy of the same, as digested, to the Second Auditor, who shall send a printed circular of the same, to each County Court in this Commonwealth, and he shall report the laws so digested, to the next Legislature.

SEC. 6. *Be it further enacted*, That it shall, hereafter, be the duty of the Clerks of the County Courts, as soon as an allowance is made by the Court

to the Sheriff, for his delinquent revenue, to make out, forthwith, duplicate copies of such list, one of which he shall place, immediately, in the hands of the Agent for the Commonwealth, in his county, whose duty it shall be, to advertise the same, at the door of the Court House, for three successive County Court days; and the said agent shall be authorized to receive the tax from any of the delinquents, and report the same to the Second Auditor, and pay it into the Treasury: the other copy shall be handed to the Sheriff, for his credit, in the settlement of his revenue account: *Provided*, That nothing in this act shall be so construed as to prevent the Second Auditor from making out his list of removals, &c., as now required by law.

Sec. 7. Be it further enacted, That in addition to the duties now required by law to be performed by the several Assessors of Tax, in this Commonwealth, it shall be their duty, respectively, to assess, value, and list, each and every tract, lot or parcel of land, believed, or known by him to be, or the greater portion thereof, within their respective counties; whether the owner or owners thereof be, or be not known, and be, or be not within such county, although no one has listed the same for taxation, making and returning as aforesaid, separate lists for the same; giving, in such cases, some general description thereof, as to value, quantity, location, and boundary, as well as any information obtained about the owner or owners, and his, her, or their residence; all of which shall be copied, by the Clerk of the County Court, in the Commissioner's books, but separate lists, as reported by the Assessor; and immediately upon the return of the books to the Second Auditor, it shall be his duty to examine, and see if such property has heretofore been listed; and if listed in any other country, he shall note the same, that the Sheriff of the county may have his credit; otherwise, if not paid, the said land shall be forfeited, as now directed by law.

Sec. 8. Be it further enacted. That it shall be the duty of the Clerks, Agents for the Commonwealth, Sheriffs, and Collectors, of each county, to report to the County Courts, any lands that may come to their knowledge, which have not been entered for taxation, for any number of years, all of which shall be certified to the Sheriff and Second Auditor, and shall be forfeited, as before directed in this act, if the taxes are not paid.

Mr. Haggard moved to amend said bill in 2d section and 11th line, after the word "taxation," by inserting the following:

"Except pistols, bowie knives and spear canes, which shall be taxed fifty cents each."

Mr. Stone then moved to lay said bill and amendment on the table. And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stone and Garrard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beard, Bowman, Bradley, Brasher, Brown, Carter,	Gale, Garrard, Graves, Gray, R. B. Gray, W. M. Hambleton,	Lair, Marshall, T. Moore, Nuckolls, Osburn, Prewitt,
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Cessna,	Harris,	Runyon,
Chesnut,	Harrison,	Salter,
Cleaveland,	Hays,	Shacklett,
Copelin,	Heady,	Shawhan,
Corum,	Hendrix,	Sterett,
Desha,	Hughes,	Stone,
Dudley,	Humphreys,	Waddill,
Early,	Imboden,	Wheat—44.
Friend,	Jones, J.	

Those who voted in the negative, were—

Mr. Speaker,	Glenn,	McRery,
Messrs. Ballingal,	Gore,	Parker,
Ballinger,	Grigsby,	Root,
Barnett,	Groesbeck,	Russell,
Burnam,	Haggard,	Shanklin,
Chambers,	Hardy,	Speed,
Clark, J.	Haskin,	Stanley,
Clark, W. J.	Hobbs,	Terrill,
Collins,	Hopkins,	Thornton,
Cox, A. H.	Jones, D. E.	Thruston,
Cox, L. B.	Kalsus,	Todd, J. F.
Crow,	Lawless,	Todd, R. S.
Dickey,	Lecompte,	Towles,
Eaker,	Leslie,	Tripplett,
Ewing,	Marshall, W. C.	Tully,
Ford,	Mason,	Whitaker,
Gano,	McHenry,	Wright—51.

And then the House adjourned.

THURSDAY, JANUARY 23, 1845

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz:

An act for the benefit of William Hart and William M. Smith.

An act for the benefit of John Cunningham.

That they had passed bills from this House, of the following titles, viz:

An act to amend an act, entitled, an act to amend the laws regulating the management of the Wilderness road and Madison Fork, and to amend and reduce into one the several acts incorporating the Oakland Turnpike Road Company, approved March 2, 1844.

An act to legalize the proceedings of the 45th Regiment of Kentucky Militia.

An act to establish a Library Association at Newport, Kentucky.

An act for the benefit of William B. Carlise and Archy S. Lewis, deputies for Samuel Faulkner, late Sheriff of Green county.

An act to amend the road laws of Pendleton county.

An act for the benefit of Sally B. Booker.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of William A. Robards and others.

An act for the benefit of certain school districts in the counties of Fayette and Adair.

An act for the benefit of Margaret J. Singleton.

An act declaring Bear creek and Little Barren river navigable streams.

An act to authorize the Surveyor's books of Henderson county to be transcribed.

An act for the benefit of Andrew Biggs, deputy Sheriff of Greenup county.

An act for the benefit of the widow of James C. Ashbrook, deceased, of Boone county.

An act supplemental to an act, entitled, an act to establish the county of Fulton.

An act to amend an act, entitled, an act to incorporate the Western Baptist Theological Institute of Covington, approved 2d February, 1841.

An act to incorporate the Bardstown Female Seminary.

An act to legalize the proceedings of the 115th Regiment of Kentucky Militia.

1. Mr. Salter presented the petition of sundry citizens of the town of Lancaster, praying a repeal or modification of the act incorporating said town.

2. Mr. McHenry presented the petition of Samuel Ireland, James Pearce and Wm. W. Buckley, praying the passage of a law permitting said Pearce and Buckley, who are Constables of Henry county, to act as deputy Sheriffs for said Ireland, in the collection of taxes.

3. Also, the petition of the officers of the Shelbyville Fire Company, praying an amendment to the act establishing said company.

4. Also, the petition of Samuel A. Robinson, praying the passage of a law authorizing a sale of certain real estate belonging to the heirs at law of William Buchannan, Sen., deceased.

5. Mr. Salter presented the petition of John Bussing, praying that compensation for timbers lost by reason of the obstructions made in the Kentucky river, by Lock and Dam No. 5, be made him.

6. Mr. Imboden presented the petition of sundry citizens of Hopkins, Caldwell, Union and Crittenden counties, praying the formation of a new county out of parts of said counties.

7. Mr. Gale presented the petition of William Smither, guardian of Jas. and William Kelly, praying the passage of a law authorizing a sale of certain real estates belonging to his wards.

8. Mr. Bradley presented the remonstrance of sundry citizens of Hopkins county, against the formation of a new county of parts of Hopkins, Union, Caldwell and Crittenden counties.

9. Also, the petition of David C. Turbeville and William H. Scott, praying that a license be granted them to keep a coffee house in the town of Madisonville, in Hopkins county.

10. Mr. W. J. Clarke presented the petition of Samuel J. Vaughn, administrator of Daniel Lyle, deceased, praying the passage of a law authorizing him to sell certain real estate of said deceased, to pay his debts.

11. Mr. Garrard presented the petition of Elijah McWharton, late Sheriff of Clay county, praying the passage of a law allowing him further time to collect taxes and levies due him, for the year 1841.

12. Mr. Terrill presented the petition of Jesse Birkhead, praying to be divorced from his wife, Sarah Birkhead.

13. Mr. Brown presented the petition of Rachel Hoskins, praying to be divorced from her husband, W. D. Hoskins.

14. Mr. T. Marshall presented the remonstrance of sundry citizens of Fleming county, against attaching said county to the 19th Judicial District.

Which were received, the reading thereof dispensed with, and referred —the 1st, 2d, 3d, 4th, 7th, 9th and 10th to the committee for Courts of Justice; the 5th to the committee on Internal Improvement; the 6th and 8th to the committee on Propositions and Grievances; the 11th to the committee on Ways on Means; the 12th and 13th to the committee on Religion, and the 14th to Messrs. Porter, R. S. Todd and Collins.

Mr. R. S. Todd moved the following resolutions, viz:

Resolved, That D. C. Wickliffe, editor of the "Lexington Observer and Reporter," be permitted to take a seat within the bar, for the purpose of taking the debates of the House.

Resolved, That the use of the Hall of the House of Representatives be tendered to Mr. Stearns, on this evening, for the purpose of delivering a lecture on Geology.

Which were adopted.

Mr. Nuckolls, from a select committee, made the following report, viz:

The select committee raised to enquire into the official conduct of Kain A. McAughan, Surveyor of Trigg county, have performed that duty, and beg leave to submit the following report:

Before presenting the resolution, which it is their purpose to submit, for the adoption of the House, the committee would premise that they have examined, attentively and minutely, the petition of George Grace, and the evidence on which he relied to sustain the charges and specifications set forth in the same, against Kain A. McAughan, Surveyor aforesaid, some of which were designed to impeach his private integrity; others, his conduct as Treasurer, and others, his official conduct as Surveyor, charging on him both gross negligence and corruption.

The petitioner, to sustain the various charges and specifications set forth in the petition, relied on sundry depositions and other papers, all of which accompany this report; but, in the opinion of the committee, unanimously concurred in, has failed to establish any thing like corruption, incapacity, or even gross negligence on the part of said Surveyor.

The committee do not feel it incumbent on them to refer, in detail, to the various charges preferred in said petition, and to the evidence by which they were attempted to be sustained: to do so accurately would swell this report to an unnecessary and burthensome extent; they are before the House, and accessible to all who may desire their examination.

They therefore recommend, for the adoption of the House, the following resolution:

Resolved, That the select committee of five, raised to enquire into the official conduct of Kain A. McAughan, Surveyor of Trigg county, be discharged from the further consideration of the matter of said enquiry, nothing appearing to the committee demanding the further action of the Legislature against said McAughan.

Signed:

RICHARD NUCKOLLS, *Chairman.*

Mr. W. C. Marshall asked leave to withdraw the petition of the Licking Contractors, which was granted, and the petition was withdrawn.

Mr. Heady, from the committee on Military Affairs, to whom was referred the petition of sundry citizens of Mason county, praying an amendment to the militia law, asked to be discharged from the further consideration of the same, which was granted.

Mr. J. F. Todd, from the committee on Internal Improvement, to whom was referred bills of the following titles, viz:

1. An act to amend the road law of Campbell county.
2. An act to amend an act, entitled, an act to release to Ohio county the interest of the State in the Hartford Bridge Company,

Reported the 1st with, and the 2d without amendment, which was concurred in.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That the title of the first bill be amended by adding "and for other purposes," and the title of the second be as aforesaid.

Mr. J. F. Todd, from the same committee, to whom was referred a bill from the Senate, entitled, an act permitting James Johnson to erect a mill

dam across the Middle Fork of Kentucky river, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House again resumed the consideration of the bill to amend an act, approved March 2, 1844, and entitled, an act to regulate the management of the Wilderness road, and for other purposes.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Johnson—A bill authorizing the County Court of Daviess to lease a portion of the public square, in the town of Owensboro'.

By the committee on Internal Improvement—A bill for the benefit of John Allen.

By same—A bill to amend an act, entitled, an act to amend the charter of the Owingsville and Big Sandy Turnpike Road Company.

By same—A bill permitting A. Rawlings to erect a mill dam across Licking river.

By same—A bill authorizing J. Asbury to build a dam across Licking river, and for other purposes.

By the committee on Military Affairs—A bill for the benefit of John W. Whitaker, Collector of fines in the 21st Regiment of Kentucky Militia.

By same—A bill for the benefit of the Danville Artillery.

By the committee on Propositions and Grievances—A bill concerning the town of Versailles.

By same—A bill to change the place of voting in the Piner precinct, in Kenton county, and for other purposes.

By same—A bill to establish the Cane Spring precinct, in Madison county, and for other purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the bill to amend the revenue laws.

The question was then taken on the adoption of the amendment proposed by Mr. Haggard, and decided in the affirmative.

Mr. McHenry moved to amend said bill by striking out the first section. And Mr. Thruston moved to insert in lieu of the first section the following, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky. That an act to amend an act, entitled, an act to amend the revenue laws, approved March 10, 1843, which imposes a specific tax on gold and silver watches, carriages, barouches, buggies, spectacles and pianos, shall be, and the same is hereby repealed; and that in lieu of said specific tax, carriages and barouches, for daily and occasional use or pleasure, of the value of \$600, shall pay one dollar; those of the value of \$400, shall pay seventy five cents; those of the value of \$200, shall pay fifty cents; and all other buggies, carriages or gigs, of two or more wheels, of less value than \$200, shall pay a tax of twenty five cents per annum; which value shall be assessed and placed upon the said carriages, barouches, buggies and gigs, at the time of taking the same in for taxation: and that the specific tax on gold and silver watches and pianos shall remain the same as fixed by the said act of March 10, 1843, which said tax, on the articles aforesaid, shall be collected as the other revenue of this Commonwealth: *Provided,* That silversmiths and jewellers, and manufacturers of pianos and carriages, buggies, gigs and barouches, who keep such gold and silver watches, carriages, gigs, barouches, buggies and pianos, for sale or merchandize, in their shops, shall not be subject to any specific tax, provided for by this, or the act of 10th March, 1843, hereinbefore referred to; and that no tax hereafter shall be paid on spectacles of any sort. Pianos worth \$600 and upwards, one dollar each; each piano worth not less \$300, nor more than \$600, seventy cents each, and each piano worth less than \$300, twenty five cents.

Mr. Hardy called for a division of the question.

Mr. Chambers moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the first section of the bill be stricken out? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stone and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garrard,	Marshall, T.
Messrs. Ballingal,	Glenn,	McHenry,
Beard,	Graves,	McRery,
Brasher,	Gray, R. B.	Moore,
Brown,	Gray, W. M.	Nuckolls,
Burnam,	Groesbeck,	Osburn,
Carter,	Haggard,	Prewitt,
Chesnut,	Hambleton,	Root,

Clark, J.	Hardy,	Runyon,
Clark, W. J.	Harrison,	Salter,
Cleaveland,	Hays,	Shacklett,
Copelin,	Heady,	Shawhan,
Corum,	Hendrix,	Stanley,
Crow,	Hughes,	Stone,
Desha,	Humphreys,	Sea,
Dickey,	Imboden,	Todd, J. F.
Dudley,	Jones, J.	Triplett,
Early,	Kalfus,	Waddill,
Friend,	Lair,	Wheat—59.
Gale,	Marshall, W. C.	

Those who voted in the negative, were—

Messrs. Ballinger,	Gano,	Porter,
Barnett,	Gore,	Russell,
Bowman,	Grigsby,	Shanklin,
Bradley,	Haskin,	Speed,
Cessna,	Hobbs,	Sterett,
Chambers,	Hopkins,	Terrill,
Collins,	Jones, D. E.	Thornton,
Cox, A. H.	Lawless,	Thruston,
Cox, L. B.	Lecompte,	Todd, R. S.
Dallam,	Leslie,	Towles,
Eaker,	Mason,	Whitaker,
Ewing,	Parker,	Wright—36.
Ford,		

The question was then taken on the adoption of the amendment proposed by Mr. Thruston, in lieu of the first section, and it was decided in the negative.

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative, and so said bill was rejected.

The yeas and nays being required thereon by Messrs. Mason and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Glenn,	Porter,
Messrs. Ballingal,	Gore,	Prewitt,
Ballinger,	Grigsby,	Russell,
Brasher,	Groesbeck,	Shanklin,
Burnam,	Harrison,	Speed,
Carter,	Hobbs,	Stanley,
Chambers,	Hopkins,	Terrill,
Clark, W. J.	Hughes,	Thornton,
Collins,	Jones, D. E.	Thruston,
Copelin,	Marshall, W. C.	Todd, R. S.
Cox, L. B.	McHenry,	Waddill,

Dickey,
Ford,
Gano,

McRery,
Parker,

Whitaker,
Wright—40.

Those who voted in the negative, were—

Messrs. Anthony,	Friend,	Lecompte,
Barnett,	Gale,	Leslie,
Beard,	Garrard,	Marshall, T
Bowman,	Graves,	Mason,
Bradley,	Gray, R. B.	Moore,
Brown,	Gray, W. M.	Nuckolls,
Cessna,	Haggard,	Osburn,
Chesnut,	Hambleton,	Root,
Clark, J.	Hardy,	Runyon,
Cleaveland,	Haskin,	Salter,
Corum,	Hays,	Shacklett,
Cox, A. H.	Heady,	Shawhan,
Crow,	Hendrix,	Sterett,
Dallam,	Humphreys,	Stone,
Desha,	Imboden,	Sea,
Dudley,	Jones, J.	Todd, J. F.
Eaker,	Kalfus,	Towles,
Early,	Lair,	Wheat—56.
Ewing,	Lawless,	

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to divorce Oscar and Eliza Jane Roberts, and to change the name of the said Eliza Jane to that of Eliza Jane Chenowith.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of Mary Ann Fugate and Thomas Sexton.

Approved January 11, 1845.

An act to revive the act concerning the town of New Liberty, approved 29th February, 1844.

An act for the benefit of Thomas Cross.

An act to legalize the appointment of Benjamin Alsop, Constable of Daviess county.

An act the better to define the western and southern limits of the City of Louisville, and for other purposes.

An act to incorporate the Richmond Female Institute.

An act to provide for a change of venue in the prosecution against Addison, a slave.

An act to allow an additional Justice of the Peace to the county of Trimble.

- An act for the benefit of William Berry and wife, of Adair county.
- An act for the benefit of David Janes and his wife.
- An act to amend the road law in Greenup county.
- An act amendatory of the several acts concerning the town of Newport, Kentucky.
- An act for the benefit of James Venable, of Shelby county.
- An act for the benefit of the heirs and administrator of John Q. Thompson, deceased.
- An act for the benefit of the widow and heirs at law of John McElya, deceased.
- An act for the benefit of Lois Smallwood.
- An act to repeal the first section of an act limiting the number of Justices of the Peace in the county of Wayne, and for other purposes.
- An act to authorize the young men of Russellville to have a Thespian Society without license.
- An act for the benefit of Isaac Bolt.
- An act to reduce the number of Justices of the Peace in the county of Boone.
- An act for the benefit of Stephen M. Farish, Jailer of Morgan county.
- An act to amend an act, entitled, an act to regulate the management of the Wilderness road, and for other purposes, approved March 2, 1844.
- An act regulating the precincts of Jefferson county, and for other purposes.
- An act for the benefit of Ann M. Prewitt.
- An act to establish an additional election precinct in Harlan county.
- An act to change the election precinct held at James Butler's, in Adair county, to John S. Coleman's, in said county.
- An act for the benefit of L. B. Stark.
- An act for the benefit of Edward Lewis, Sheriff of Green county.
- An act to change an election precinct in the county of Perry, and for other purposes.
- An act allowing an additional Justice of the Peace to the county of Greenup.
- An act to legalize the proceedings of the Estill County Court, held in October, 1844.
- An act to prevent fraud in the sale of salt.
- An act to incorporate the Trustees of the Tompkinsville Old School Presbyterian Church, in Monroe county.
- An act for the benefit of Aquilla Hoskins.
- An act for the benefit of Daniel Bailey, and for other purposes.
- An act to amend the act incorporating the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.

An act to allow an additional Constable in Ballard county, and for other purposes.

An act requiring certain duties of the Commissioner's of Tax and County Court Clerks, before the County Court shall receive the Commissioner's books.

An act for the benefit of George O. Thompson.

An act for the benefit of Hiram Begley.

An act to incorporate the Trustees of the Centre Point Meeting House, in Monroe county.

An act to allow two additional Justices of the Peace to the county of Cassey, and for other purposes.

An act for the benefit of the Sheriffs of Graves and Perry counties.

Approved January 22, 1845.

And then the House adjourned.

FRIDAY, JANUARY 24, 1845.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to repeal the law dispensing with seals to certain instruments of writing.

That they had passed bills from this House, of the following titles, viz:

An act to amend the charter of the city of Lexington.

An act providing for a change of venue in the prosecution pending in the Jefferson Circuit Court, against Paschal D. Craddock, for perjury.

An act to regulate certain duties of Clerk's.

An act establishing a chancery and criminal term of the Marion Circuit Court.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act to provide for taking the sense of the people of Mason county relative to the Seat of Justice of said county.

An act to run and re-mark a portion of the boundary line between the States of Kentucky and Tennessee.

An act to change the time of holding the Larue County Court.

An act concerning the Northern Bank of Kentucky.

An act allowing an additional Constable to the county of Oldham, and for other purposes.

An act giving the Mayor of the City of Covington concurrent jurisdiction with Circuit Judges, in cases of Idiots and Lunatics.

An act to authorize the County Court of Campbell to appoint a Collector of the county levy for 1843.

1. Mr. McHenry presented the petition of the officers of the 18th Regiment of Kentucky Militia, praying the passage of a law legalizing the proceeding of the Court of Assessment, held in said Regiment on the 3d Thursday in October last.

2. Mr. Barnett presented the petition of Philoman Sanders, praying to be divorced from his wife, Elizabeth Sanders.

3. Mr. Wheat presented the petition of Sinclair Stapp, praying to be divorced from his wife, Sarah R. Stapp.

4. Mr. Runyon presented the petition of David B. Fry and Mary Jane Fry, praying the passage of a law authorizing the said Mary Jane, who is under age, to join her husband in the conveyance of a tract of land.

5. Mr. Shacklett presented the petition of the members of the Otter Creek Church, in Garnettsville, praying an act of incorporation.

6. Mr. Copelin presented the petition of Robert Steritt, praying that losses sustained by him, on State bonds, may be refunded him.

7. Also, the petition of Nancy Cates, praying the passage of a law authorizing her to sue for, and collect the debts due the estate of her deceased husband, without administering upon his estate.

8. Also, the petition of the Justices of the Peace of Hart county, praying the passage of a law reducing the number of Justices in said county.

Which were received, the reading thereof dispensed with, and referred—the 1st to the committee on Military Affairs; the 2d, 3d and 5th to the committee on Religion; the 4th, 7th and 8th to the committee for Courts of Justice, and the 6th to the committee on Internal Improvement.

Mr. Dallam, from the joint committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Lucy G. Cocke, and her children.

An act for the divorce of Eliza Jane and Oscar Roberts, and to change the name of the said Eliza Jane to that of Eliza Jane Chenowith.

An act to legalize the proceedings of the 45th Regiment of Kentucky Militia.

An act to establish a Library Association at Newport, Kentucky.

An act for the benefit of John Wiggins Flora.

An act to allow an additional term to the Lincoln County Court, and an additional Justice of the Peace to Lincoln county.

An act to amend an act, entitled, an act to amend the laws regulating the management of the Wilderness road and Madison Fork, and to amend and reduce into one the several acts incorporating the Oakland Turnpike Road Company, approved March 2, 1844.

An act for the benefit of William B. Carlise and Archy S. Lewis, deputies for Samuel Faulkner, late Sheriff of Green county.

Also, an enrolled bill and resolutions which originated in the Senate, of the following titles, to-wit:

An act permitting James Johnson to erect a mill dam across the Middle Fork of the Kentucky.

Resolutions in relation to the purchase of sites and the erection of Hospitals, by the Federal Government, at Louisville and Paducah.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

Mr. Grigsby, from the committee on Propositions and Grievances, reported a bill to establish the county of McLean, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

Mr. Grigsby, from the same committee, to whom was referred the petition of Thomas Hoffman; the petition of sundry citizens of Trimble county, praying to be added to Henry county, and the petition of sundry citizens of Montgomery county, praying a change in a precinct, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Grigsby, from the same committee, to whom was referred the petition of sundry citizens of Hopkins, Union, Caldwell and Crittenden counties, praying for the formation of a new county, reported the same, with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Imboden moved to amend said resolution by striking out the words "be rejected," and insert "is reasonable."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The said resolution was then concurred in.

Mr. Sterett, from the committee on Privileges and Elections, reported a bill to amend an act, entitled, an act regulating elections, approved December 21, 1797, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no election, hereafter to be holden in this Commonwealth, shall be continued more than one day, except at the request of one of the candidates, agreeably to the provisions of the constitution; and the Sheriffs or

other presiding officers for such elections shall open the polls by 9 o'clock in the morning, and continue the same open until half after 7 o'clock in the evening.

Mr. Salter moved to lay said bill on the table for the present.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chambers and Eaker, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Corum,	Lair,
Ballinger,	Early,	Lecompte,
Barnett,	Friend,	Marshall, T.
Beard,	Garrard,	Porter,
Bowman,	Glenn,	Root,
Bradley,	Gray, R. B.	Runyon,
Brasher,	Haggard,	Russell,
Cessna,	Haskin,	Salter,
Chesnut,	Hays,	Shawhan,
Clark, J.	Heady,	Stone,
Clark, W. J.	Hendrix,	Sea,
Cleaveland,	Jones, J.	Towles—37.
Copelin,		

Those who voted in the negative, were—

Mr. Speaker,	Gray, W. M.	Parker,
Messrs. Burnam,	Grigsby,	Prewitt,
Carter,	Groesbeck,	Shacklett,
Chambers,	Hambleton,	Shanklin,
Collins,	Hardy,	Speed,
Cox, A. H.	Harrison,	Stanley,
Cox, L. B.	Hopkins,	Sterett,
Crow,	Hughes,	Terrill,
Dallam,	Imboden,	Thornton,
Desha,	Johnson,	Thruston,
Dickey,	Jones, D. E.	Todd, J. F.
Dudley,	Kalfus,	Todd, R. S.
Eaker,	Lawless,	Triplett,
Ford,	Leslie,	Tully,
Gale,	Marshall, W. C.	Waddill,
Gano,	Mason,	Wheat,
Gore,	McHenry,	Whitaker,
Graves,	Moore,	Wright—54.

The question was then put on reading said bill a second time.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House took up for consideration the bill to establish District Courts, and for other purposes.

Ordered, That the further consideration of said bill be postponed, and it made the special order of the day for Tuesday next.

The House then took up for consideration the bill to reduce the salaries of certain officers, and for other purposes.

The said bill reads as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, the various officers of this Commonwealth, hereinafter mentioned, shall be paid out of the Public Treasury, the following salaries annually, to-wit: The Auditor of Public Accounts, seven hundred and fifty dollars; to the Second Auditor of Public Accounts, fifteen hundred dollars; to the Treasurer, one thousand dollars; to the same, for keeping the State House, fifty dollars; to the Secretary of State, six hundred and fifty dollars; to the Register of the Land Office, one thousand dollars; to the principal Clerk in the Land Office, five hundred dollars; to the assistant Clerk in the same office, three hundred dollars; to the Librarian, two hundred dollars; to the President of the Board of Internal Improvement, five hundred dollars: to the Judges of the Court of Appeals, fourteen hundred dollars each; to the Attorney General, two hundred and fifty dollars; to the Adjutant General, one hundred and fifty dollars; to the Quarter Master General, one hundred dollars; to the Judges of the Circuit Courts, one thousand dollars each, except the Judge of the 5th Judicial District, who shall have twelve hundred and fifty dollars; to the Chancellor of the City of Louisville, seventeen hundred and fifty dollars; to the Attorneys for the Commonwealth, two hundred and fifty dollars each; to the Clerk of the Secretary's office, six hundred and fifty dollars.

SEC. 2. Be it further enacted, That the several officers named in the first section of this act, shall be paid their said annual salaries quarterly, as allowed by the laws now in force.

SEC. 3. Be it further enacted, That all acts or parts of acts, coming within the purview of this act, shall be, and the same are hereby repealed.

Mr. Chambers moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Wheat, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hopkins,	Speed,
Messrs. Ballinger,	Jones, D. E.	Stanley,
Burnam,	Kalfus,	Terrill,
Chambers,	Marshall, W. C.	Thornton,
Collins,	McHenry,	Thruston.
Cox, L. B.	Parker,	Todd, R. S.
Dallam,	Porter,	Triplett,
Ewing,	Root,	Tully,
Gore,	Runyon,	Waddill,
Grigsby,	Russell,	Whitaker,
Groesbeck,	Shanklin,	Wright—34.
Harrison,		

Those who voted in the negative, were—

Messrs. Anthony,	Early,	Jones, J.
Ballinger,	Ford,	Lair,
Barnett,	Friend,	Lawless,
Beard,	Gale,	Lecompte,
Bowman,	Garrard,	Leslie,
Bradley,	Glenn,	Marshall, T.
Brasher,	Graves,	Mason,
Carter,	Gray, R. B.	McRery,
Chesnut,	Gray, W. M.	Moore,
Clark, J.	Haggard,	Prewitt,
Clark, W. J.	Hardy,	Salter,
Cleaveland,	Haskin,	Shacklett,
Copelin,	Hays,	Shawhan,
Corum,	Heady,	Sterett,
Cox, A. H.	Hendrix,	Stone,
Crow,	Hughes,	Sea,
Desha,	Humphreys,	Todd, J. F.
Dickey,	Imboden,	Towles,
Dudley,	Johnson,	Wheat—58.
Eaker,		

Mr. Heady moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the negative.

Mr. Ballinger moved to amend the bill by striking out "seven hundred and fifty dollars," to the 1st Auditor, and insert, in lieu thereof, "twelve hundred dollars."

A division of the question being called for, the question was first taken on striking out, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bowman and Groesbeck, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Friend,	Mason,
Messrs. Ballinger,	Gale,	McHenry,
Barnett,	Gano,	McRery,
Beard,	Garrard,	Nuckolls,
Bradley,	Glenn,	Prewitt,
Brasher,	Gore,	Root,
Burnam,	Graves,	Runyon,
Carter,	Groesbeck,	Russell,
Cessna,	Haggard,	Shawhan,
Chesnut,	Hardy,	Stone,
Clark, J.	Harrison,	Sea,
Clark, W. J.	Haskin,	Terrill,
Cleaveland,	Heady,	Thruston,
Collins,	Imboden,	Todd, J. F.
Corum,	Jones, J.	Todd, R. S.

Cox, A. H.
Desha,
Dudley,
Ford,

Lair,
Marshall, W. C.
Marshall, T.

Towles,
Triplett,
Wright—55.

Those who voted in the negative, were—

Messrs. Anthony,
Ballingal,
Bowman,
Chambers,
Copelin,
Cox, L. B.
Crow,
Dallam,
Dickey,
Eaker,
Early,
Ewing,
Gray, R. B.
Gray, W. M.

Grigsby,
Hambleton,
Hays,
Hendrix,
Hopkins,
Hughes,
Humphreys,
Johnson,
Jones, D. E.
Kalfus,
Lawless,
Lecompte,
Leslie,
Moore,

Parker,
Porter,
Salter,
Shacklett,
Shanklin,
Speed,
Stanley,
Sterett,
Thornton,
Tully,
Waddill,
Wheat,
Whitaker—41.

Mr. Stone moved to fill the blank by inserting "one thousand dollars" to the 1st Auditor.

And the question being taken thereon, it was decided in the affirmative.

Mr. Ballinger moved to amend said bill by striking out "one thousand dollars" to the Treasurer, and insert in lieu thereof, "twelve hundred dollars."

Mr. McHenry moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Ballinger be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wheat and Stone, were as follows, viz:

Those voted in the affirmative, were—

Mr. Speaker,
Messrs. Ballinger,
Burnam,
Clark, J.
Clark, W. J.
Collins,
Corum,
Cox, A. H.
Crow,
Dallam,
Ford,
Gano,

Gore,
Harrison,
Hopkins,
Jones, D. E.
Kalfus,
McHenry,
McRery,
Nuckolls,
Parker,
Porter,
Runyon,
Russell,

Shanklin,
Speed,
Sea,
Terrill,
Thornton,
Thruston,
Todd, R. S.
Triplett,
Tully,
Waddill,
Whitaker,
Wright—36.

Those who voted in the negative, were—

Messrs. Anthony,	Friend,	Jones, J.
Ballingal,	Gale,	Lair,
Barnett,	Garrard,	Lawless,
Beard,	Glenn,	Lecompte,
Bowman,	Graves,	Leslie,
Bradley,	Gray, R. B.	Marshall, W. C.
Brasher,	Gray, W. M.	Marshall, T.
Carter,	Grigsby,	Mason,
Cessna,	Groesbeck,	Moore,
Chambers,	Haggard,	Prewitt,
Chesnut,	Hambleton,	Root,
Cleaveland,	Hardy,	Salter,
Copelin,	Haskin,	Shacklett,
Cox, L. B.	Hays,	Shawhan,
Desha,	Heady,	Stanley,
Dickey,	Hendrix,	Sterett,
Dudley,	Hughes,	Stone,
Eaker,	Humphreys,	Todd, J. F.
Early,	Imboden,	Towles,
Ewing,	Johnson,	Wheat—60.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Chambers moved to amend said bill by adding thereto the following engrossed clause, by way of ryder, viz:

Be it further enacted, That from and after the 15th day of August, 1845, the compensation of the members of the General Assembly shall be three dollars per day, for the first forty days of the session, and for each day after said fortieth day they shall receive one dollar.

Mr. Dickey moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the engrossed clause, by way of ryder, proposed by Mr. Chambers, be adopted, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chambers and Ewing, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gale,	Mason,
Messrs. Anthony,	Gano,	McRery.
Ballingal,	Gore,	Moore,
Ballinger,	Graves,	Parker,
Beard,	Gray, R. B.	Porter,
Bradley,	Gray, W. M.	Prewitt,
Burnam,	Grigsby,	Root,

Carter,	Groesbeck,	Runyon,
Chambers,	Haggard,	Russell,
Chesnut,	Hambleton,	Salter,
Clark, J.	Harrison,	Shacklett,
Clark, W. J.	Haskin,	Shanklin,
Collins,	Hays,	Shawhan,
Copelin,	Heady,	Stanley,
Corum,	Hopkins,	Stone,
Cox, A. H.	Hughes,	Sea,
Cox, L. B.	Humphreys,	Thornton,
Crow,	Imboden,	Thruston,
Dallam,	Johnson,	Todd, J. F.
Desha,	Jones, D. E.	Todd, R. S.
Dickey,	Kalfus,	Tripplett,
Dudley,	Lair,	Tully,
Early,	Lawless,	Wheat,
Ewing,	Lecompte,	Whitaker,
Ford,	Leslie,	Wright—77.
Friend,	Marshall, W. C.	

Those who voted in the negative, were—

Messrs. Barnett,	Glenn,	Nuckolls,
Bowman,	Hardy,	Speed,
Brasher,	Hendrix,	Sterett,
Cessna,	Jones, J.	Terrill,
Cleaveland,	Marshall, T.	Towles,
Eaker,	McHenry,	Waddill—19.
Garrard,		

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cleaveland and J. F. Todd, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Ford,	Lawless,
Ballingal,	Friend,	Lecompte,
Ballinger,	Gale,	Leslie,
Barnett,	Gano,	Marshall, T
Beard,	Garrard,	Mason,
Bowman,	Glenn,	McRery,
Brailey,	Graves,	Moore,
Burnam,	Gray, R. B.	Parker,
Carter,	Gray, W. M.	Porter,
Cessna,	Haggard,	Prewitt,
Chesnut,	Hambleton,	Root,
Cleaveland,	Hardy,	Runyon,
Copelin,	Haskin,	Salter,
Corum,	Hays,	Shacklett,
Cox, A. H.	Heady,	Shawhan,

Cox, L. B.	Hendrix,	Sterett,
Crow,	Hughes,	Stone,
Dallam,	Humphreys,	Sea,
Desa,	Imboden,	Todd, J. F.
Dudley,	Johnson,	Towles,
Dickey,	Jones, J.	Tully,
Eaker,	Kalfus,	Wheat—68.
Early,	Lair,	

Those who voted in the negative, were—

Mr. Speaker,	Harrison,	Stanley,
Messrs. Brasher,	Hopkins,	Terrill,
Chambers,	Jones, D. E.	Thornton,
Clark, J.	Marshall, W. C.	Thruston,
Clark, W. J.	McHenry,	Todd, R. S.
Collins,	Nuckolls,	Triplett,
Ewing,	Russell,	Waddill,
Gore,	Shanklin,	Whitaker,
Grigsby,	Speed,	Wright—28.
Groesbeck,		

Resolved, That the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the divorce of Eliza Jane and Oscar Roberts, and to change the name of said Eliza Jane, to that of Eliza Jane Chenowith.

An act for the benefit of Lucy G. Cocke and her children.

An act to legalize the proceedings of the 45th Regiment of Kentucky Militia.

An act to establish a Library Association at Newport, Kentucky.

An act to allow an additional term to the Lincoln County Court, and an additional Justice of the Peace to Lincoln county,

An act for the benefit of John Wiggins Flora.

An act for the benefit of William B. Carlisle and Archy S. Lewis, deputies for Samuel Faulkner, late Sheriff of Green county.

An act to amend an act, entitled, an act to amend the laws regulating the management of the Wilderness road and Madison Fork, and to amend and reduce into one the several acts incorporating the Oakland Turnpike Road Company, approved March 2, 1844.

Approved January 24, 1845.

And then the House adjourned.

SATURDAY, JANUARY 25, 1845.

1. Mr. Hardy presented the petition of sundry citizens of Barren county, praying that a change of venue be granted to Joseph H. Steinburgen, in the prosecution pending against him in the Barren Circuit Court, for an assault.

2. Mr. Hopkins presented the petition of Walker Meaux, a free man of color, praying the passage of a law authorizing the Boyle Circuit Court to decree a sale of his interest in the lands devised to him and others, by the will of John G. Meaux, deceased.

3. Mr. Runyon presented the petition of Philo Ingerson, praying that compensation be made him for losses sustained on scrip paid him for work done on the Lexington and Ohio Railroad.

4. Mr. Root presented the petition of sundry citizens of the town of Newport, praying the passage of a law authorizing the Trustees of said town to lay it off into wards.

5. Mr. Glenn presented the petition of James Moody, praying permission to import into this State certain slaves.

6. Mr. J. Clarke presented the petition of sundry citizens of Caldwell county, praying that an additional Justice of the Peace be allowed to said county.

7. Mr. Wheat presented the petition of sundry citizens of Adair county, praying that the number of Justices of the Peace and Constables in said county may be reduced.

8. Mr. Barnett presented the petition of Robert Stockton, praying the passage of a law authorizing the sale of a tract of land held by him in trust for his infant children.

9. Mr. Eaker presented the remonstrance of sundry citizens of Graves county, against the establishment of a State road from Canton, in Trigg county, to Mills' Point, in Hickman county.

10. Mr. T. Marshall presented the remonstrance of sundry citizens of Fleming county, against adding said county to the 19th Judicial District.

11. Mr. Speed presented the petition of Lavenia Vansant and others, infant heirs of Christopher Vansant, deceased, praying the passage of a law authorizing a sale of certain real estate which descended to them upon the death of said Christopher Vansant.

Which were received, the reading thereof dispensed with, and referred —the 1st, 2d, 7th, 8th and 11th to the committee for Courts of Justice; the 3d to the committee on Claims; the 4th to the committee on Ways and Means; the 5th to Messrs. Glenn, Burnam, J. F. Todd and Groesbeck; the

6th to Messrs. J. Clark, McHenry and Dudley; the 9th to the committee on Internal Improvement, and the 10th to Messrs. Porter, R. S. Todd and Collins.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to incorporate the Campbell Turnpike Road Company.

That they had passed a bill from this House, entitled, an act for the benefit of Jane Cox.

That they had passed bills of the following titles, viz:

An act for the benefit of Richard Bartlett, a Constable of Henry county.

An act for the benefit of the heirs of William Johnson, deceased.

An act to change the county line of Washington and Marion county.

An act for the benefit of C. J. Blackburn.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Constant A. Wilson, of Logan county.

An act providing for a change of venue in the prosecution against Joseph N. Allen.

Approved January 22, 1845.

The House again resumed the consideration of the bill to amend an act, entitled, an act regulating elections, approved December 21, 1797.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The question was taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Sterett and Russell, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Hughes,	Parker,
Chambers,	Humphreys,	Root,
Dallam,	Leslie,	Shacklett,
Dudley,	Marshall, W. C.	Sterett,
Eaker,	Marshall, T.	Terrill,
Ford,	McHenry,	Thruson,
Hambleton,	McRery,	Triplett—23.
Harrison,	Moore,	

Those who voted in the negative, were—

Mr. Speaker,	Early,	Kalfus,
Messrs. Ballingal,	Ewing,	Lair,
Ballinger,	Friend,	Lawless,
Barnett,	Gale,	Lecompte,

Beard,	Gano,	Mason,
Bowman,	Garrard,	Nuckolls,
Bradley,	Glenn,	Porter,
Brasher,	Gore,	Prewitt,
Brown,	Graves,	Runyon,
Burnam,	Gray, R. B.	Russell,
Carter,	Gray, W. M.	Salter,
Cessna,	Groesbeck,	Shanklin,
Chesnut,	Haggard,	Shawhan,
Clark, J.	Hardy,	Stanley,
Clark, W. J.	Harris,	Stone,
Cleaveland,	Haskin,	Sea,
Collins,	Hays,	Thornton,
Copelin,	Heady,	Todd, J. F.
Corum,	Hobbs,	Todd, R. S.
Cox, A. H.	Hopkins,	Towles,
Cox, L. B.	Imboden,	Tully,
Crow,	Johnson,	Waddill,
Desha,	Jones, D. E.	Wheat,
Dickey,	Jones, J.	Wright—72.

Mr. Collins, from the committee on Claims, to whom was referred the petition of P. C. Berry; the petition of John Ross; and the petition of Robert H. Perry, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Claims—A bill for the benefit of Beverly Robinson.

By same—A bill for the benefit of Augustine B. Offut.

By same—A bill for the benefit of Calvin A. Hull, of Kenton county.

By the committee for Courts of Justice—A bill to authorize a change of venue in the case of James Hildreth.

By same—A bill to provide for a change of venue in the prosecution against James Williams.

By same—A bill for the benefit of Martha Beard, committee for Martha Ann Beard.

By same—A bill for the benefit of Alexander Graham and others.

By same—A bill to amend an act, entitled, an act for the benefit of Paulina G. Rodes and her children.

By same—A bill to amend the charter of the City of Covington.

By same—A bill to incorporate the Trinity Church of Covington.

By same—A bill for the benefit of John B. McIlvaine.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, reported a bill for the benefit of Frederick Ivery, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

On motion of Mr. Thurston,

Ordered, That said bill be laid on the table.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill from the Senate, entitled, an act to amend an act approved March 2, 1844, in relation to Constables, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thruston, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Foster Ray, of Marion county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill: and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act for the benefit of Joseph Howard.

An act for the benefit of Nancy A. and Robert W. Lowry, Jr.

An act to allow an additional Justice of the Peace to Marshall county, and for other purposes.

An act to amend an act, entitled, an act incorporating the town of Bardstown.

An act to amend the road laws of Pendleton county.

An act for the benefit of Sally B. Booker.

An act to regulate certain duties of Clerks.

An act providing for a change of venue in the prosecution pending in the Jefferson Circuit Court, against Paschal D. Craddock, for perjury.

An act establishing a chancery and criminal term of the Marion Circuit Court.

Were taken up, twice read, and concurred in.

The amendments proposed by the Senate, to a bill from this House, entitled, an act for the benefit of James Angel, were referred to the committee for Courts of Justice.

The amendments proposed by the Senate, to a bill from this House, entitled, an act to allow an additional Justice of the Peace to Barren county, and for other purposes, were taken up, twice read, and disagreed to.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of Robert Forsythe, of Mercer county.

2. An act to incorporate the Cloverport Seminary.

3. An act authorizing the County Court of Christian county to change the location of a part of the Hopkinsville and Morgantown State Road.

4. An act to amend the several acts concerning the Newport Seminary or Academy.

5. An act to change the name of Sarah Ann Goodwin to Sarah Ann Blakely.

6. An act to reduce into one the several act exempting property from execution, and for other purposes.

7. An act to give to holders of Kentucky land warrants further time to have surveys made under the same, and to return plats and certificates of survey to the Register's office.

8. An act to prescribe the mode of procuring copies of releases executed by the contractors on public works in the State of Kentucky.

9. An act for the benefit of the widow and heirs of Abraham Wells, deceased, of Whitley county.

10. An act for the benefit of the devisees and distributees of Sarah C. McLaughlin, deceased.

11. An act to change the name of Sophia Jeffries to that of Sophia Hancock.

12. An act providing for a change of venue in the prosecution against Calvin Fairbank.

13. An act authorizing a settlement with John Tilford.

14. An act for the benefit of Fayette Posey, of the county of Henderson.

15. An act to change the place of voting in the Little Fork precinct, in Carter county, to the house of James Beggs, of said county.

16. An act to change the terms of the Logan, Allen, Edmonson, and Simpson Circuit Courts.

17. An act for the benefit of the administrator and heirs at law of Thomas Rogers, deceased.

18. An act to amend an act, entitled, an act for the benefit of Merial DeNeal, of Spencer county.

19. An act for the benefit of Margaret J. Singleton.
20. An act declaring Bear creek and Little Barren river navigable streams.
21. An act for the benefit of Andrew Biggs, deputy Sheriff of Greenup county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with; the 1st, 6th, 7th, 8th, 9th, 10th, 12th, 14th, 16th and 17th were referred to the committee for Courts of Justice; the 2d, 3d, 5th, 11th, 15th, 18th and 19th were severally ordered to be engrossed and read a third time; the 4th was referred to the committee on Education; the 13th and 21st to the committee on Claims, and the 20th to the committee on Internal Improvement.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 5th, 11th, 15th, 18th and 19th bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate of the following titles, viz:

1. An act to allow an additional Justice of the Peace to Carter county.
2. An act to authorize the County Court of Kenton county to change, at certain points, the location of the State road leading from Independence to Covington.
3. An act to change the times of holding the Muhlenburg and Boyle Circuit Courts.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were then amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles of the 1st and 3d be amended by adding to each "and for other purposes," and that the title of the 2d be as aforesaid.

Mr. Hardy moved a re-consideration of the vote rejecting a bill to amend the revenue laws.

Ordered, That the further consideration of said motion be postponed until Monday next.

And then the House adjourned.

MONDAY, JANUARY 27, 1845.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act for the benefit of Linchfield Sharp, with an amendment.

That they had passed bills of the following titles, viz:

An act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

An act authorizing William Read, Ignatius Greenville and Roderic Terrell to change the location of a fish dam on the Beech Fork.

An act to legalize the proceedings of the Courts of Assessment of the 17th and 36th Regiments of Kentucky Militia, and for other purposes.

And had received official information from the Governor that he had approved and signed an enrolled bill and resolutions which originated in the Senate, of the following titles, viz:

An act permitting James Johnson to erect a mill dam across the Middle Fork of the Kentucky river.

Resolutions relative to the purchase of sites and the erection of Hospitals, by the Federal Government, at Louisville and Paducah.

Approved January 24, 1845.

1. Mr. Chesnut presented the petition of Larkin Kirtley, praying the passage of a law authorizing him, as agent for Josiah N. Beatie and wife, to list the names of certain dower slaves, held by them, as required by the act of 1839, and to remit the forfeiture of said slaves, for the failure to list them before their removal to Missouri.

2. Mr. Parker presented the petition of W. Williams, Deputy Sheriff of Bourbon county, praying that further time be allowed him to return his delinquent list of muster fines placed in his hand for collection.

3. Mr. Barnett presented the remonstrance of sundry citizens of Caldwell county, against the devision of said county.

4. Mr. Parker presented the petition of James Squires, Constable of Bourbon county, praying the passage of a law permitting him to reside out of the district for which he was elected.

5. Mr. Collins presented the memorial of the President and Directors of the Maysville, Washington, Paris and Lexington Turnpike Road Company, praying that power be given them to convey passengers by stages, and produce by wagons, &c., on said road, in their corporate capacity.

6. Mr. A. H. Cox presented the petition of Hubbard M. H. Taylor, praying that the Colbyville election precinct, in Clarke county, be abolished.

7. Mr. Haggard presented the petition of Mary Jones, guardian of her children, Elizabeth, Amanda and Charles Jones, praying the passage of a law authorizing the sale of certain real estate belonging to her wards.

8. Mr. Eaker presented the petition of Amos A. Smith and Kissy Louisa Smith, praying to be divorced from each other.

Which were received, the reading thereof dispensed with, and referred—the 1st and 7th to the committee for Courts of Justice; the 2d and 4th to the committee on Ways and Means; the 3d to the committee on Propositions and Grievances; the 5th to the committee on the Sinking Fund; the 6th to the committee on Privileges and Elections, and the 8th to the committee on Religion.

Mr. Wheat asked leave to bring in a bill for the benefit of William B. Field, of Adair county, which was granted.

Ordered, That the committee on Religion prepare and bring in the same.

Mr. Prewitt asked leave to withdraw the petition of James Wills and others, which was granted, and the petition was withdrawn.

The House resumed the consideration of the bill from the Senate, entitled, an act for the benefit of Foster Ray, of Marion county.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred the bill from the Senate, entitled, an act to regulate the terms of the Spencer Circuit Court, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and the title thereof be amended to read as follows: "An act to regulate the terms of the Spencer and Washington Circuit Courts."

A message was received from the Senate, by Mr. Bennett, asking leave to withdraw their report, announcing their disagreement to a bill from this House, entitled, an act to incorporate the Campbell Turnpike Road Company, which was granted, and the bill was withdrawn.

Mr. Thruston, from the committee for Courts of Justice, reported a bill for the benefit of Lloyd K. Goodwin, which was read the first time.

Ordered, That said bill be laid on the table for the present.

Mr. Thruston, from the same committee, reported a bill to amend the penal laws, which was read the first time, as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the 2d section of an act to amend the penal laws of this Commonwealth, approved December 11, 1822, be, and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That any free white male person, who shall hereafter be convicted of simple larceny, hereafter committed, of value not exceeding four dollars, or any other offence punishable with whipping, according to the laws now in force, such offender shall be punished by confinement in the jail and penitentiary house of this State, a period not less than six, nor more than twelve months, at the discretion of a jury; and such offences shall be prosecuted in the same manner as other felonies now are, by law.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Collins moved to amend said bill by striking out all that part printed in *italics*, and insert, in lieu thereof, the following, viz:

"Jail of the county not exceeding thirty days, to be fed on bread and water."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnam and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Gray, R. B.	Runyon,
Brasher,	Groesbeck,	Shanklin,
Burnam,	Haggard,	Sea,
Collins,	Hambleton,	Terrill,
Cox, A. H.	Harris,	Todd, J. F.
Dallam,	Heady,	Todd, R. S.
Eaker,	Johnson,	Tully,
Gale,	Mason,	Wright—26.
Glenu,	Parker,	

Those who voted in the negative, were—

Messrs. Anthony,	Friend,	Marshall, W. C.
Barnett,	Garrard,	Marshall, T.
Beard,	Gore,	McHenry,
Bowman,	Graves,	McRery,
Brown,	Gray, W. M.	Moore,
Carter,	Hardy,	Nuckolls,
Cessna,	Harrison,	Prewitt,
Chambers,	Haskin,	Root,
Chesnut,	Hays,	Russell,
Clark, W. J.	Hopkins,	Salter,
Copelin,	Hughes,	Shacklett,
Corum,	Imboden,	Shawhan,
Cox, L. B.	Jones, D. E.	Stanley,
Crow,	Jones, J.	Stone,
Dickey,	Kalfus,	Thruston,
Dudley,	Lair,	Towles,
Early,	Lawless,	Triplett,
Ewing,	Lecompte,	Wheat—54.

The question then was taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

Mr. Thruston, from the committee for Courts of Justice, reported a bill further to protect religious worship, which was read the first time, as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, it shall be unlawful for any person or persons, to sell, from any booth, wagon, tent, or in any other way, fruit, melons, candy, cakes, corn, oats, or any kind of horse food, to any person or persons, within one mile of any religious meeting, held in the woods or fields, one mile from any incorporated town or licensed tavern, unless by written permission of the official members of such meeting, or a majority of them.

SEC. 3. Be it further enacted, That the inhibitions of this act shall not be deemed to apply to any farmer or regular tradesman, whose farm or place of business shall be situated within one mile of said religious meeting, and who shall sell only such articles as the said farmer may have produced on his farm, and offers for sale in the usual way, and at the usual place of his selling such articles, or that said tradesman shall have for sale in the ordinary course of business, at his usual place of business.

SEC. 3. Be it further enacted, That all persons violating the provisions of this act shall be liable to the pains and penalties of the law now in force, punishing disturbers of religious worship.

Mr. Ewing moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chambers and Hays, were as follows, viz:

Those who voted in the affirmative, were--

Messrs. Anthony,	Graves,	Lecompte,
Ballingal,	Gray, W. M.	Marshall, W. C.
Beard,	Haggard,	Marshall, T
Bowman,	Hambleton,	Nuckolls,
Bradley,	Harris,	Runyon,
Brasher,	Harrison,	Russell,
Brown,	Haskin,	Shacklett,
Carter,	Hays,	Shanklin,
Chesnut,	Hobbs,	Shawhan,
Copelin,	Hughes,	Stone,
Cox, A. H.	Imboden,	Sea,
Cox, L. B.	Jones, D. E.	Towles,
Eaker,	Jones, J.	Triplett,
Early,	Kalsus,	Tully—44.
Ewing,	Lair,	

Those who voted in the negative, were--

Mr. Speaker,	Gale,	McRery,
Messrs. Ballinger,	Garrard,	Moore,
Barnett,	Glenn,	Parker,

Burnam,	Gore,	Porter,
Chambers,	Gray, R. B.	Prewitt,
Clark, J.	Groesbeck,	Root,
Clark, W. J.	Hardy,	Speed,
Collins,	Heady,	Stanley,
Corum,	Hopkins,	Terrill,
Crow,	Johnson,	Thruston,
Dallam,	Lawless,	Todd, J. F.
Dickey,	Leslie,	Todd, R. S.
Dudley,	Mason,	Wheat,
Friend,	McHenry,	Wright--42.

Mr. Hobbs, from the committee on Penitentiary, made the following report, viz:

The committee to whom was referred so much of the Governor's message as relates to the Penitentiary, its partial destruction by fire, and the unsettled accounts of the late Keeper and the Commonwealth, proceeded to investigate these subjects, and submit the following report:

The late Keeper was appointed under the act approved February 14, 1839, entitled, "an act prescribing the duties of Keeper and Clerk of the Penitentiary," by which act the mode of settlement for a former term with said Keeper was prescribed. The State, in said act, agreed to furnish as capital, to be loaned to said Keeper, \$25,000, (if there was so much on hand belonging to the Commonwealth,) "out of the raw materials, stock, manufactured articles, debts and effects of the Penitentiary, as a fund for the more efficient and profitable management of the Penitentiary, and shall be loaned to the Keeper to be appointed under this act for and during the time he may be in office, at an interest of six per centum per annum, to be paid by the Keeper semi-annually to the Commissioners of the Sinking Fund."

The fourth section of the above named act provides: "That said Keeper shall pay the principal sum for the raw materials, stock, manufactured articles, debts and effects, which he shall receive from, and receipt to the Commissioners of the Sinking Fund for, whenever he shall cease to be Keeper, or leave in the Penitentiary an equal amount of raw materials, stock and *saleable manufactured articles* at a *fair cash wholesale price*, after settling and paying the State that part of the profits which shall be coming to the Commonwealth under the provisions of this act; he shall also pay to the Commonwealth the principal sum for the tools and implements of trade which he shall receive and receipt for, or leave for the Commonwealth tools and implements of trade of an equal *wholesale cash value*, when he ceases to be Keeper; and he shall pay to the Commonwealth the principal sum for the machinery which he shall receive and receipt for when he ceases to be Keeper, or leave for the Commonwealth machinery fit for the use of the Institution of equal wholesale value, &c. &c."

The sixth section of said act also provides: "That the said Keeper shall be at liberty to erect in said Institution, at joint expense, such additional machinery as he may deem best calculated to promote the interest of the Institution: provided, he shall first obtain the approbation of the Commissioners of the Sinking Fund: and provided, also, that all machinery so

"erected, shall, at the expiration of the time said Keeper may continue in office, be the sole property of the State."

The ninth section of said act also provides: "That before the Keeper shall enter upon the discharge of the duties of the office, he shall take the following oath—'I do solemnly swear that I will faithfully and impartially discharge the duties of Keeper of the Penitentiary according to law.' And the said Keeper, shall also enter into bond, in the office of the Secretary of State, with five or more sureties, to be approved by the Governor, "in the penalty of fifty thousand dollars, payable to the Commonwealth of Kentucky, conditioned that he will faithfully perform the duties of Keeper according to law, and perform all the duties imposed by this act, and re-fund to the Commonwealth the full amount to which the raw materials, stock, and manufactured articles now on hand may be valued, and for which he is required to give a receipt, under the third section of this act, payable semi-annually; the principal to be paid at the expiration of his term of service; and that he shall account for all tools, implements of trade and machinery as required by this act, and pay to the Commissioners of the Sinking Fund, at the close of each year, as provided in the fourth section, such proportion of the profits as may be due to the State, which bond shall be filed with the Auditor, and may be sued upon on behalf of the Commonwealth as often as the conditions thereof are violated."

The committee have given such extracts of the law as they deem necessary to a proper understanding of their report upon the various subjects submitted to them. They will remark, however, that there is no provision in the act before referred to in regard to a settlement with the Keeper—no contract as to the manner and by whom a settlement was to be made, but the whole subject is left open for the future action and agreement of the contracting parties.

Mr. Theobald, the late Keeper, took the oath required by law, and entered into bond, which was approved, and he received from the State the loan of \$25,000, provided for in the act; also the tools, implements and machinery belonging to the State, amounting in value to the sum of \$6,176 25, and continued to manage and conduct the Institution until the 1st day of March, 1844, at which time Messrs. Craig & Henry, the present Keepers, came into office.

By an act approved March 8th, 1843, entitled, "an act to provide for the final settlement with the present Keeper of the Penitentiary," &c., provision was made for a settlement of the accounts of the late Keeper with the State, and such part of said act as is deemed necessary to a proper understanding of their views, on the subject of their enquiry, they also here quote.

"Be it enacted, That for the purpose of making a final settlement with the present Keeper of the Penitentiary up to 1st of March, 1844, when the time for which he was appointed expires, the raw materials, stock and manufactured articles on hand, shall be valued by two disinterested persons, to be selected by the Commissioners of the Sinking Fund, at the expiration of the present Keeper's term of office; and said valuers shall take an oath before some Justice of the Peace, faithfully and impartially to value said property at a fair *wholesale cash value*, and annex the value to each article thereof, and return the same to the Commissioners of the Sinking Fund, to be by them preserved; and said valuers shall make a

" complete inventory of the tools and implements of trade in the Penitentiary, and annex the value to each article, and the same shall be compared with the receipt of the Keeper for the tools and implements of trade which were on hand when he last came into office, now on file in the Auditor's office, and if the same shall fall short of the valuation made in said receipt, the Keeper shall be charged with the deficiency; and if they exceed the valuation in said receipt, the Keeper shall be credited with one half of the excess; and it shall be the duty of the Commissioners of the Sinking Fund, and they are hereby authorized, to settle with the present Keeper, and to divide the raw materials, stock, manufactured articles, debts and effects belonging to the Penitentiary, in which the Keeper and Commonwealth are jointly interested, in such manner as to provide for the payment of the debts, and the return of the \$25,000, with interest, which was advanced to the present Keeper when he was last appointed Keeper, and to divide the profits equally between the Commonwealth and the said Keeper in accordance with the law under which he became Keeper; said valuers shall also make an inventory of the machinery now on hand, and annex the value to each article, with the view of being handed over to the new Keepers."

Under the provisions of the last mentioned act, the Commissioners of the Sinking Fund appointed Messrs. Apperson and Bullock appraisers by the following order of their Board: "Ordered, that Richard Apperson and James M. Bullock be, and they are hereby, appointed to *settle* with the present Keeper of the Penitentiary, in pursuance to the 1st section of the act of March 8th, 1843, &c."

It will be perceived that the order making the appointment, does not direct the nature of the duties to be performed by said appraisers, neither does it appear to the committee that the oath taken by said appraisers conforms to the one prescribed by the law.

The appraisers were appointed before the time specified in the act—and the testimony showed to us, that they performed the larger portion of the valuations and inventory before the 1st of March 1844,—the time they should have been appointed, and when it was contemplated they should enter upon the discharge of their duties.

The committee are well satisfied that these appraisers, (Messrs. Apperson and Bullock,) though gentlemen of high standing and general intelligence, were personally unacquainted with and unqualified to judge the wholesale cash value of the property in the Penitentiary; and it was doubtless the expectation of the Commissioners of the Sinking Fund that they (Messrs. Apperson and Bullock) would make up their deficiency in knowledge and experience of the value of these articles, by aid of the testimony of practical and experienced men in the various trades which had been pursued in the Penitentiary; but those gentlemen pursued a different course, which proved, as it will appear, injurious to the interest of the State, and has been the cause of much of the difficulties and embarrassments which exist in relation to this subject.

From the testimony of Mr. Bullock, it appears, that he accepted the appointment with great reluctance, as he was fully aware of his want of that kind of knowledge, which would enable him to do justice to the parties—and when asked by the committee as to the plan adopted by him and Mr. Apperson to arrive at the value of articles, he says, that they called upon

the Clerk, and examined the sale books of the Penitentiary, and former valuations, and sometimes they would consult the prisoners in the various shops, who seemed to be the foreman in the various branches of business, and from information thus obtained, they generally fixed the value, and sometimes they would take the amount and value, written on the different articles.—The stone work consisting of tombs, monuments, slabs, head and foot stones, had generally a price marked on them, and the appraisers generally set them down at the prices so marked. In estimating the stone work, he distinctly recollects, that they came to a monument priced at \$1500. This struck him as an extraordinary price, and he was unwilling to set it down at that price. Mr. Theobald was sent for, who told them it was a master piece of work, and worth the price fixed on it. They were not however satisfied, and valued it at \$1250. He said he had no judgment as to the value of this article, and was induced to fix the value he did, mainly by the representations of the late Keeper. He also stated that articles were generally already weighed and measured, and when no prices were marked on them, and when invoices were called for, they were furnished sometimes immediately, and at other times not so soon,—and he further stated, that after he made the valuation of the stone work in the Penitentiary, he priced some stone work in Shelbyville, and from the information he obtained from the stone cutter who made it, he became satisfied that he had valued this work too high.

The testimony of Mr. Apperson varies only in a few particulars, from that of Mr. Bullock, and we proceed to point out that difference, without giving his testimony at large. He states that there was a young man, (he thinks,) named Keene, who accompanied Mr. Bullock and himself, while they were valuing the articles, and he, (young Keene,) who was an under officer in the Penitentiary, had an inventory of the tools, with the prices, he thinks, affixed: and when they had any difficulty in valuing, they consulted him; they would sometimes take the prices in the inventory, and sometimes scale them. They sent for Mr. Theobald several times, to ascertain the price of articles. That he consulted the Clerk about the saleableness and value of the stone work, who stated it was a saleable article, but that it would not do to peddle about; and it was from the information he derived from him, that he was impressed that the stone work was of a superior quality; and this influenced him much in its valuation. He also stated, that the Clerk, when called on or consulted, seemed "*costive*," and gave an opinion with great reluctance. And Apperson and Bullock both stated that no effort that they could perceive, was made by any one to influence them in their valuation; and they both agree that they placed a retail value on the various articles valued by them, and then deducted ten per cent. to reduce them to a wholesale price; which mode the committee deem improper, and not in accordance with the requisitions of the law. Both agree that a large lot of tools, &c. were of little or no value, but they were shown an inventory of similar articles, for which the late Keeper had given a receipt in 1839, and in consequence of that, they valued these articles to the State at the price mentioned in the inventory. The inventory and appraisement made out in the manner above set forth by Messrs. Apperson and Bullock, amounted to the sum of \$36,231 81 cents.

These appraisers, after making the inventory and appraisement as aforesaid, instead of returning it to the Commissioners of the Sinking Fund, as

directed by law, proceeded, as they state, to set apart the portion of the profits of the Institution, to which the late Keeper appeared entitled by their valuation and inventory. So far as this part of their action is concerned, as it was not any portion of their duty under the law, we suppose it is void.

We would further remark, that Messrs. Craig & Henry, the new Keepers, whose interests were deeply concerned in a fair and just valuation of the Penitentiary property to the State, were not present at the valuation, nor were they notified to attend. They, however, knew it was going on, and Mr. Bullock was of the impression that Mr. Craig expressed, on one occasion, a desire to be present, but he thinks Mr. Apperson said to Mr. Craig, that it was a matter which did not concern him, but was entirely between Mr. Theobald and the State.

At the time the present Keepers took possession of the Penitentiary, they executed to the Commissioners of the Sinking Fund, their receipt for the various articles contained in the inventory and appraisement of Apperson and Bullock, but at the same time, and forming a part of the receipt, they entered their protest against the valuation and inventory. These gentlemen, at a subsequent day, to-wit, about the middle of April last, procured a re-valuation of the same articles to be made, by men of experience, high character, and unquestioned skill in the various branches of business to which the various articles mentioned in said inventory belonged. The committee caused those persons to appear before them, and from their testimony, in which the committee place entire confidence, the entire property estimated to the State by Messrs. Apperson and Bullock at \$36,231 81 cents, is valued at only the sum of \$17,297 63 cents. The committee do not believe that the appraisers, Messrs. Apperson and Bullock, intended any thing but fairness to the State; but from their want of experience and personal knowledge of the value of the property, and the improper mode adopted by them, to obtain information, the State has been greatly injured, and the late Keeper unjustly benefitted by this enormous valuation. And the committee are of the unanimous opinion, that a great and unparalleled injustice would be done to the interest of the State, if the property aforesaid is thrown upon it, at the enormous valuation reported by Messrs. Apperson and Bullock.

The Commissioners of the Sinking Fund, who were *alone* empowered by the act before mentioned, to make a settlement with the late Keeper, declined making that settlement, upon the ground, that if they did so, they would, from the nature of things, be compelled to recognize the inventory and appraisement made by Apperson and Bullock, and adopt it as the basis of a settlement. They did not settle with the late Keeper, and up to this time, there has been no action of the State or any one for it, recognizing and confirming the acts of these appraisers.

The Commissioners of the Sinking Fund, being authorized to settle with the late Keeper, the appointment of appraisers by them, to ascertain the amount and value of the property, was only the act of one of the contracting parties, to which the late Keeper was no party, and therefore, he was not bound by any valuation they might make: and the State, the other contracting party, was not bound by it, unless she recognized and adopted it, with the consent and agreement of the other party. The committee are, therefore, of the opinion, that there has been no action of the State, or of any authority having the power to bind the State, by which she has lost her just claim upon the late Keeper, for the amount she is entitled to under her

contract with him. The proof shows that Mr. Theobald avoided being present with the appraisers, while the valuation was progressing, and was never present except when sent for. It also shows, as before stated, that when called on as to the value of the monument priced at \$1,500, (and set down by Apperson and Bullock at \$1,250,) that it was his representation of its being a superior article, that they were mainly induced to value it at this price; but from the testimony of an experienced stone cutter, and one who is an extensive dealer in the article, the committee are bound to believe it is a bad job, out of taste in its construction, and of indifferent material, and not worth more than \$300. It was also in proof that the prices were marked on the tombs, monuments, &c., and the appraisers acknowledge, that by this, they were in a great degree induced to value them to the State at \$40, when it appeared that a short period before, Mr. Theobald had sold to a Mr. Linn, of Georgetown, two of a similar kind, at \$16 each, and two slabs, which had been marked and valued to the State at \$25 each, had been sold a short time before at \$10. The proof also shows that stone work, and particularly of the sort found in the Penitentiary, valued as aforesaid from Theobald to the State, was not a saleable article; and that within the last year of the late Keeper's term of service, he had employed an unusual number of hands on that description of work.

The committee would also state, that from Mr. Joel Scott's testimony, it appears that when he left the Penitentiary, (and Mr. Theobald took possession,) he left but little stone work on hand, less than \$1,000 worth, and he recommended to Mr. Theobald to raise the price for that article. That he thought when Mr. Needham, (upon whose testimony the committee have relied in forming their opinion as to the value of the stone work,) was valuing the stone work, that he, Scott, thought he was putting it too low, but that he yielded his opinion to that of Needham; but that he and Mr. Needham agreed as to the aggregate value of manufactured articles, stone work, tools, machinery, &c. &c. And Mr. Scott also stated, that he had been, during Mr. Theobald's term as Keeper of the Prison, somewhat familiar with the prices at which he sold stone work, and that the prices he found marked on the stone work, and reported by Apperson and Bullock, corresponded, pretty generally, with those prices, but that he had long thought Theobald sold those articles too high, by at least one third. And by reference to the appraisement of Messrs. Apperson and Bullock, it will be seen that an extraordinary and excessive amount of stone work was left by the late Keeper, infinitely more than in good faith, under the contract and laws governing the State and late Keeper, should have been left. The committee cannot do otherwise than condemn this, as contrary to the true spirit and letter of the law, and as operating most unjustly upon the interest of the State, should she receive them according to the valuation of Messrs. Apperson and Bullock.

The committee believe that the State, under all the circumstances, is not responsible to the late Keeper, even for the actual value of the property left in the Penitentiary, as it was not of the description contemplated by the law; and as the property was not accepted by the State under the contract, we are at a loss to know upon what principle she can be held liable, even to that extent. How far the present Keepers are liable to the late Keeper, for the value of the property which came to their hands, when they signed the receipt, with their protest, as we before mentioned, we will not under-

take to determine; to the extent, however, that they have used the property, or by their carelessness suffered it to be destroyed, we believe their liability certainly exists.

The act, approved February 14th, 1839, provides, that a capital of \$25,000, as hereinbefore stated, should be advanced to said Keeper, out of the "raw materials, stock, manufactured articles, debts and effects of the Penitentiary, if there be so much belonging to the Commonwealth," as a fund for the more profitable management of said Institution, for his second term of office. Upon examination of the valuation and inventory by the Commissioners in 1839, the State only had of the articles required to be set apart, as such fund, to the value of \$15,484 76 cents. This sum constituted then the entire amount which the Commissioners under said law had a right, and were required to set apart. Yet the Commissioners of the Sinking Fund, although no settlement was made, and against the provisions of the law requiring them to collect the \$6,000 which the State had previously loaned to said Keeper, surrendered to him his bond for the same, with its interest, amounting, in all, to the sum of \$8,029 34 cents, notwithstanding, in the first section of said law, "approved March 14th, 1839," it is expressly directed that the settlement shall be made in such manner as to provide "for the return of the \$6,000, with interest, which was advanced," to the late Keeper, when he was first appointed. And said Commissioners also had a credit entered on the books of the Penitentiary, in favor of Mr. Theobald, for the sum of \$1,485 90 cents; all which sums together, made the \$25,000 advanced as aforesaid. The committee will not express any opinion of the course of the Commissioners of the Sinking Fund, to whom the execution of this law and the interest of the State was confided. But believing it to be their duty, they submit the facts to the consideration of the Legislature.

The committee find, on examination, that a custom has prevailed in the Penitentiary, of admitting slaves for safe keeping, and such they believe was the custom and habit of the late Keeper. This business, (as appears by the report of the present Keepers,) is one of profit to the Institution; but no account is any where found, where the State has received her just proportion of this profit, during the whole term the late Keeper remained in office.

From the annual report of the present Keepers, we find the profit to the Institution, from this source, for about 10 months, amounted to the sum of \$320; and taking this as the data, the receipts of the late Keeper would have been, say \$400 per annum. Why this item of the profits of the Penitentiary were not accounted for, we cannot tell—it is certain, however, it ought to be, and forms a proper charge against the late Keeper; its aggregate for his whole term, (ten years,) by the above data, amounts to \$4,000, and should certainly be examined into by those whose duty it is to settle this account.

The account of the late Keeper with the Commonwealth, if fairly stated, would in the opinion of the committee, stand thus:

Mr. Theobald (late Keeper,) to the Commonwealth, Dr.

To this sum advanced in 1839, of raw materials, manufactured articles, as per schedule on file in the First Auditor's Office, - \$15,484 76

Amount carried forward,	\$15,484 76
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Amount brought forward,	- - - - -	\$15,484 76
His bond for money loaned at beginning of his first term,	- - - - -	\$ 6,000 00
Interest on same up to 1839,	- - - - -	2,029 34
Credit allowed him on books of the Penitentiary, in 1839,	- - - - -	1,485 90
		<u>\$ 25,000 00</u>
One half of the amount of profits from negroes taken into the Penitentiary for safe keeping during his term of 10 years, at above rates, would be \$2,000. Interest on same to March, 1844, would be, say \$540—in all,	- - - - -	2,540 00
Inventory of tools, &c. left in his hands in 1839,	- - - - -	4,461 25
Inventory of machinery, &c. do.	- - - - -	1,715 00
Total,	- - - - -	<u>\$32,716 25</u>

	Cr.
By value of tools, &c. assessed by Needham, Glover, &c.	\$2,858 80
By value of machinery, assessed by do.	1,380 50
By value of all other articles, including stock, manufactured articles, &c. &c. as valued by Needham and Glover, &c.	13,058 33
Total,	<u>\$17,297 63</u>

By the above statement it will be seen, that if Mr. Theobald be allowed the credits for the tools, machinery, manufactured articles, stock, &c. at the prices fixed by Needham, Glover, &c., and if the charge for keeping negroes be correct, as therein stated, he is indebted to the State \$15,418 62 cents. But if the manufactured articles, &c. are not of that saleable character required to be returned "at a fair wholesale cash value," and it shall be determined that the State shall not receive them, even at the valuation of Needham, Glover, &c., then he is indebted to the State the sum of \$28,476 95. And should it turn out that the State is bound to receive the tools, machinery, manufactured articles, &c. at the prices returned in Apperson and Bullock's inventory and valuation, the State would owe to Mr. Theobald, the sum of \$3,515 56 cents.

The committee have taken much pains, and have examined all such persons as they believe would be able to throw any light upon the manner of the destruction of the Penitentiary buildings by fire; and there exists great doubt on the minds of the committee, whether they were destroyed by accident or design: and if by design, who the guilty agent was, it is impossible to tell. On the night they were destroyed, the Keepers permitted several convicts to remain out of their cells, and in the yard where the buildings were situated, who had free access to the means of their destruction. And, at the same time, there was confined in one of the rooms of the building in which the fire originated, a white male prisoner, who occupied that room which was used as the tailor's shop; this room was ceiled, and there was in its centre a stove, the remains of the fire which had been in it during the day, were left in it, but there was no evidence to induce the committee for a moment to suspect that the fire originated from the stove pipe. And in another

er ceiled room of this building, there was a white female prisoner. And in another room, adjoining the tailor's shop aforesaid, were confined two or three female slaves, who had been put in the prison for safe keeping—one of whom was sick. These slaves had in their possession, on the night of the fire, a candle; the room in which they were confined was weatherboarded but not ceiled, and had a loose loft laid above, in which was a quantity of hacked shucks, (prepared for mattrasses,) and other combustible materials, to which there was no impediment to their communicating fire by the candle. There seems to be no doubt on the minds of the committee, of the fire having begun in the loft where these shucks were placed; but whether through accident or design, by means of the candle in the possession of the negroes, or by the agency of some of the convicts who slept out of their cells on that night, they cannot determine; but from one or the other of these causes they have no doubt it did originate.

It is but proper to remark, that it appeared from the testimony before us, to have been also the custom of the late Keeper sometimes to let negroes sleep in the same room in which these slaves were on the night of the fire. And the custom of permitting some of the convicts to sleep in the work shops, unconfined, likewise prevailed, during the time of the late Keeper, as well as with the present one; but it appeared that, at no time, during the late Keeper's term, was there more than two or three at any one time; but the present Keepers, as was proven, have, on some occasions, permitted as many as six or seven at a time to do so. And so also, as has been before remarked, did the custom of taking slaves for safe keeping prevail. Both of these customs were, in the opinion of the committee, highly imprudent, and their recurrence ought to be provided against by law. The latter custom is subversive of the objects of the Institution, and at all times dangerous to the safety of the prison. And the first should never be indulged in, unless necessary for the health of the convict, and even then with extreme caution.

Whether the conduct of the present Keepers shall amount to culpable negligence, is a question we submit to the consideration of the Legislature. It is true they had the example of their predecessor, but we know of no obligation they were under to follow that example, if it was imprudent or dangerous.

We have no means of ascertaining, satisfactorily, the value of the buildings destroyed by fire. The loss estimated to have been sustained, exclusive of the buildings, is furnished in the annual report of the present Keepers, and is stated to be \$22,355 97, of which sum is included stock received from the late Keeper, to the amount of \$10,565 87; tools, &c., \$3,275 88, and machinery \$2,120.

The committee have made no examination of the estimates for the erection of the new cells in the prison; doubting whether that subject came legitimately within the scope of their duties. They feel it, however, to be their duty to suggest, that inasmuch as the estimate was made by the same appraisers who valued the property in the Penitentiary, it might be well, for the interest of the State, to have the valuation made by competent mechanics, before any definite action is taken by the Legislature. The price (\$57,391 80) seems to be a high one.

The committee have examined the new building, recently erected in the Penitentiary, and they consider it well calculated for the objects for which

it was designed, and from the information they have obtained concerning the price agreed to be paid, they consider it reasonable.

The blacksmith shop now in use in the Penitentiary, immediately adjoins this new building, and greatly endangers its security; this danger will be increased by the work intended to be carried on in the new building. The shop is very temporary, and ought, in the opinion of the committee, be immediately removed.

The buildings remaining in the Penitentiary, are insufficient to carry on the business of the Institution, and the necessity now exists for the erection of others. This, however, if done, as well as the one already erected, should be paid for out of the State's portion of the profits of the Penitentiary, and should not be a charge on the Treasury. The plan and arrangement of the buildings should be confided to the Governor. And the committee think that true economy suggests the propriety of covering such buildings as may be in future erected, with tin, or some other kind of metal; and, as soon as practicable, the roof of the building containing the cells should likewise be covered with metal. It was with great difficulty, the committee are informed, that this building was saved from the general conflagration during the late fire; and had it been burned, the convicts would have had to be turned out, or permitted to perish in the flames. The roof of this building is very steep, and, of course, from that fact, very liable to take fire whenever other buildings within the area of the prison walls may burn.

The committee instituted strict enquiry into the condition of the Penitentiary, at the time the same was surrendered by the late Keeper, and are constrained to say, that the necessary cleanliness of the establishment had been neglected immediately preceding the expiration of his term of office.

The committee would suggest the more frequent attention of the Visitors, and a delegation of power to them, to revise that portion of the police of the establishment, and the removal of nuisances. Some check to the neglect of cleanliness should be lodged somewhere, and the Board of Visitors seems most appropriate for that purpose. In other respects, and during the official term of the late Keeper, he treated the prisoners with humanity, so far as the evidence shows, and seemed at all times to regard the health and comfort of the convicts.

The present Keepers seem, in this particular, at least, equal to their predecessor. And the committee take pleasure in stating, that so far as they are capable of judging, from their occasional visits to the Institution, during the current month, they were impressed with the comfortable appearance of the prisoners, as well as the excellent discipline which seemed to exist.

The committee would further call the attention of the Legislature to a custom, or perhaps law, which prevails in the discipline of the prison, which requires the Keeper to shave the heads of the convicts, when committed, and during their stay there; it may have been proper heretofore, owing to the insecurity of the prison, as an auxiliary of discovery and apprehension, in case of escape; but we are assured by the Keepers, that the custom is now, on that score, utterly useless, and one which gives to them, and to the unfortunate creatures under their management, great pain and mortification. It is a savage and cruel custom, and one that but illy suits the age in which we live; and we do earnestly recommend that it should henceforth be abolished, as a part of the regular discipline, and only be resorted to at the discretion of the Keepers, as one of the punishments for disobe-

dience or improper conduct. This may seem a little thing, but we are assured by the Keepers, that nothing in the whole system seems more humiliating to these unfortunate creatures, than does the execution of this rule. And though unfortunate and degraded, they are our fellow creatures, and should not be wantonly or unnecessarily inflicted with the least additional pang.

The committee would also urge upon your consideration, the importance of prohibiting the working of the prisoners without the walls of the Penitentiary, unless it is on work for the State. They do not know that the custom now prevails, but heretofore it has been usual to employ prisoners in various mechanical branches of business, and in common labor about Frankfort and its vicinity, in direct and ruinous competition with the honest mechanics and laborers of the neighborhood. The committee are constrained to condemn this practice, as one altogether wrong in practice, and unjust in principle; as it is not to be supposed that those who constitute the real wealth of every country, and who have families to support, by their own labor, in any branch of business, can live, when such labor is brought in direct competition with them.

The committee are happy to state, that from information obtained from the present Keepers, it is their intention to employ about two thirds of the convicts in the manufacturing of rope and bagging, and they will here take occasion to remark, that they consider it but a duty which the Representatives owe the people, at as early a day as possible, to abolish from the prison, all classes of mechanical pursuits, except so far as it is necessary they should be pursued, for the demands of the prison. They do not now recommend it to be done, for the State would have no right to do so without the consent of the present Keepers, during the term of their contract. But whenever the present contract expires, this change should be attended to; for that system which brings into competition the labor of the felons of the State prison with the industry and enterprise of the honest mechanics of the country, is a crying wrong to this valuable portion of our fellow citizens, and they have a right, at our hands, to demand a remedy for that wrong, which brings upon them such ruinous and discouraging competition.

The committee would further remark, by way of suggestion, that they believe the interests of the State would be greatly enhanced, if after the expiration of the contract with the present Keepers, the Penitentiary were rented out to some responsible and competent individual, at a definite price, or that it should be carried on by a competent agent employed by the State. Should either of these plans be resorted to, great care should be taken in the first, to protect the prisoners from excessive labor and cruel treatment, and if the last plan be adopted, such compensation should be offered by the State, as to secure the services of the first business men of the country as their agents. The committee are satisfied that the State would receive more clear profits if the prison were managed in either of these ways, than she ever will under the existing laws; and they see no reason why laws could not be passed to meet every objection which may be presented to the change; they are also well satisfied that until something of this kind is done, the State will ever be liable to annoyance and wrong in the settlements with the Keepers, as they have always observed that whenever individual and public interest come in contact, the public is generally the looser.

We would further suggest, that the present enclosure, within the walls, is too small, and at as early a day as the resources of the Penitentiary will justify, it should be extended; such an extension is required both for the comfort and health of the prisoners, as well as the convenience of the Institution.

We would, also, recommend, that for the security of the buildings against fire, a large cistern should be at once constructed, at some convenient and suitable point within the yard, and a force pump fixed in it; such a cistern and force pump, we are satisfied, could be constructed at a small expense, and would, they have no doubt, prove a very efficient protection in the event of fire, and very useful for the various cleansing operations in the prison: they understand that similar ones are in successful operation in some of the large factories in the western country.

The committee, though they cannot acquit Messrs. Craig & Henry from neglect, cannot think that it can be construed into that culpable character, which would justify the State in holding them responsible for the heavy losses sustained by the fire; so far as the articles destroyed belonged to the State and the present Keepers, they think the Keepers should loose one third interest therein, and the State the other two thirds. They have, however, hereinbefore given the facts in the case, and only make these remarks by way of suggesting their opinion as to what would, under all the circumstances, be justice.

The committee would further state, that from the interruptions and disappointments which the present Keepers have met with, in consequence of the late fire, they are cramped in their pecuniary resources; and in the construction of the necessary buildings for the profitable and proper operation of the Institution, capital will be absolutely necessary to procure the materials and lumber for these contemplated buildings; and therefore, recommend that an advance should be made to the present Keepers for that purpose, under such regulations as the Legislature may think proper.

The committee will conclude their very lengthy, and they fear tedious report, by stating it as their unanimous opinion, that from all the circumstances of the case, they cannot see how the accounts and difficulties existing between the Commonwealth and the late Keeper, can be settled so as to afford to every party interested, a fair and full opportunity to obtain justice, unless they be investigated before the Courts of the country, and they do, therefore, recommend that those whose duty it is to act in behalf of the State, should, as speedily as possible, proceed to bring about a settlement in this way, of all the unsettled affairs between the State and late Keeper.

EDW. D. HOBBS, *Chairman,*
JAMES S. SPEED,
THOS. PORTER,
P. H. LESLIE,
JAMES CLARKE,
W. BRADLEY,
JOHN L. BALLINGER.

Ordered, That the Public Printer forthwith print 300 copies of said report for the use of the members of the General Assembly.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill for the appointment of a Police Judge of the town of Burks-

ville, and for other purposes, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thruston, from the same committee, reported a bill for the revision, codification and publication of the statute laws of this State, which was read the first time.

On motion of Mr. McHenry,

Ordered, That said bill be laid on the table for the present.

Mr. Thruston, from the same committee, reported a bill for the benefit of the Louisville Colleges, which was read the first time.

On motion of Mr. Speed,

Ordered, That said bill be laid on the table.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee for Courts of Justice—1. A bill for the benefit of the children of Henry O. Byers.

By same—2. A bill to incorporate the St. Cecelia Musical Society.

By same—3. A bill for the benefit of William Pryor.

By same—4. A bill to regulate the time of holding the Rockcastle County Court, and for other purposes.

By same—5. A bill further to regulate the Fire Company at Shelbyville.

By same—6. A bill to amend an act, entitled, an act to incorporate the town of Smithland, and for other purposes, approved March 8, 1843.

By same—7. A bill to amend the bail law in civil cases.

By same—8. A bill, supplemental to an act, approved January 14, 1845, for the benefit of the Methodist Episcopal Church in Elkton.

By same—9. A bill to change the mode of proving accounts.

By same—10. A bill prescribing the duties of Surveyors.

By same—11. A bill requiring the Clerks of the General, Circuit and Louisville Chancery Courts, to perform certain duties.

By same—12. A bill amendatory of the several acts regulating the settlement of the accounts of guardians, and for other purposes.

By Mr. Bradley—13. A bill providing for a change of venue in the prosecution against Morton Penington.

By Mr. Brasher—14. A bill to continue the place of voting at the house of Benjamin E. Garnett, in the town of Landing.

By Mr. Shacklett—15. A bill for the benefit of the Sheriff of Meade county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills, (except the 9th,) having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House resumed the consideration of the motion made by Mr. Hardy, on Saturday last, to re-consider the vote rejecting the bill to amend the execution laws.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to Messrs. Collins, Hardy, R. S. Todd, Mason and Chambers.

The Speaker laid before the House the Annual Report of the Public Librarian, which is as follows, to-wit:

LIBRARY ROOM,

Frankfort, January 27, 1845.

SIR: You will please lay before the honorable House, over which you preside, the accompanying report, which contains all the books received and purchased for the Public Library for 1844, and books distributed.

Yours, respectfully,

G. A. ROBERTSON, P. L.

To the Hon. CHARLES S. MOREHEAD,

Speaker of the House of Representatives.

[For Report—see *Legislative Documents*.]

At 2 o'clock, P. M., Mr. Chambers moved a recess.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hobbs and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gano,	McRery.
Messrs. Ballingal,	Glenn,	Parker,
Ballinger,	Gore,	Prewitt,
Barnett,	Groesbeck,	Root,
Bowman,	Hardy,	Runyon,
Bradley,	Harrison,	Shacklett,
Brasher,	Hays,	Shanklin,
Brown,	Heady,	Shawhan,
Burnam,	Hobbs,	Speed,
Chambers,	Hopkins,	Stanley,
Clark, W. J.	Hughes,	Sterett,
Collins,	Humphreys,	Stone,
Corum,	Imboden,	Terrill,
Cox, A. H.	Johnson,	Thornton,
Dallam,	Jones, D. E.	Thruston,
Dickey,	Kalfus,	Todd, J. F.

Dudley,	Lair,	Towles,
Eaker,	Leslie,	Tully,
Ewing,	Marshall, W. C.	Wheat,
Gale,	McHenry,	Wright—60.

Those who voted in the negative, were—

Messrs. Beard,	Friend,	Lawless,
Carter,	Garrard,	Lecompte,
Chesnut,	Graves,	Marshall, T.
Clark, J.	Gray, R. B.	Mason,
Cleaveland,	Gray, W. M.	Moore,
Copelin,	Haggard,	Porter,
Cox, L. B.	Hambleton,	Russell,
Crow,	Haskin,	Todd, R. S.
Early,	Jones, J.	Triplet—28.
Ford,		

1. Mr. Bradley presented the petition of Robert P. Hill, praying the passage of a law carrying into execution a parol contract made between him and his deceased brother.

2. Mr. Speed presented the petition of Charles A. Land, praying that the name of George Washington Lafayette Bradley may be changed, and he made capable of inheriting his estate.

Which were received, the reading thereof dispensed with, and referred—the 1st to the committee for Courts of Justice, and the 2d to the committee on Religion.

The House then took up the bill to change the 8th and 18th Judicial Districts.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That hereafter the counties of Barren, Hart and Grayson shall be added to, and compose a part of the 8th Judicial District; and the counties of Adair, Russell and Clinton shall be added to, and compose a part of the 18th Judicial District of this Commonwealth.

SEC. 2. *Be it further enacted,* That the county of Wayne be, and the same is hereby added to, and shall compose a part of the 18th Judicial District.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stone and Wheat, were as follows, viz:

Those voted in the affirmative, were—

Mr. Speaker,	Gale,	Moore,
Messrs. Anthony,	Gano,	Parker,
Ballinger,	Gore,	Porter,
Barnett,	Hambleton,	Runyon,
Bowman,	Hardy,	Shacklett,

Bradley,	Harrison,	Shanklin,
Burnam,	Haskin,	Shawhan,
Carter,	Hays,	Stanley,
Cessna,	Hobbs,	Stereitt,
Chambers,	Hopkins,	Terrill,
Collins,	Hughes,	Thruston,
Crow,	Jones, D. E.	Todd, J. F.
Dallam,	Lair,	Todd, R. S.
Dickey,	Lawless,	Towles,
Eaker,	Lecompte,	Tripplett,
Ewing,	Leslie,	Tully,
Ford,	McHenry,	Wright—52.
Friend,		

Those who voted in the negative, were—

Messrs. Ballingal,	Dudley,	Johnson,
Beard,	Early,	Kalfus,
Brasher,	Garrard,	Marshall, T.
Chesnut,	Graves,	Mason,
Clark, J.	Gray, R. B.	Prewitt,
Clark, W. J.	Gray, W. M.	Russell,
Cleaveland,	Groesbeck,	Salter,
Copelin,	Haggard,	Speed,
Corum,	Harris,	Stone,
Cox, A. H.	Heady,	Thornton,
Cox, L. B.	Imboden,	Wheat—33.

Resolved, That the title thereof be as aforesaid.

The amendments proposed by the Senate, to a bill from this House, entitled, an act for the benefit of Linchfield Sharp, were taken up, twice read, and concurred in.

Bills from the Senate of the following titles, viz:

An act for the benefit of the widow of James C. Ashbrook, deceased, of Boone county.

An act supplemental to an act, entitled, an act to establish the county of Fulton.

An act for the benefit of William A. Robards and others.

An act to amend an act, entitled, an act to amend an act to incorporate the Western Baptist Theological Institute of Covington, approved 2d February, 1841.

An act to incorporate the Bardstown Female Seminary.

An act to provide for taking the sense of the people of Mason county relative to the Seat of Justice of said county.

An act to run and re-mark a portion of the boundary line between the States of Kentucky and Tennessee.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate of the following titles, viz:

1. An act to authorize the Surveyor's books of Henderson county to be transcribed.
2. An act for the benefit of certain school districts in the counties of Fayette and Adair.
3. An act to legalize the proceedings of the 115th Regiment of Kentucky Militia.
4. An act to change the time of holding the Larue County Court.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were then amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that titles of the 1st, 3d and 4th be amended, by adding to each "and for other purposes," and the 2d be amended to read, "An act for the benefit of certain school districts in the counties of Fayette, Adair and Wayne."

A bill from the Senate, entitled, an act concerning the Northern Bank of Kentucky, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Mason moved to amend said bill by adding the following section, viz:

Be it further enacted, That the additional Director, hereby allowed, shall be appointed by the Governor in the same manner as the Directors on the part of the State are now appointed.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. Marshall and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Gale,	Hughes,
Ballingal,	Garrard,	Imboden,
Bradley,	Glenn,	Lecompte,
Carter,	Graves,	Marshall, T.
Clark, J.	Gray, R. B.	Mason,
Cleaveland,	Groesbeck,	Moore,
Corum,	Haggard,	Stone,
Dudley,	Heady,	Towles—25.
Friend,		

Those who voted in the negative, were—

Mr. Speaker,	Gano,	Porter,
Messrs. Ballinger,	Gore,	Prewitt,
Barnett,	Gray, W. M.	Root,
Beard,	Hambleton,	Runyon,
Bowman,	Hardy,	Russell,
Brasher,	Harris,	Salter,
Brown,	Harrison,	Shacklett,
Burnam,	Haskin,	Shanklin,
Cessna,	Hays,	Shawhan,
Chambers,	Hobbs,	Speed,
Chesnut,	Hopkins,	Stanley,
Clark, W. J.	Humphreys,	Sea,
Collins,	Johnson,	Terrill,
Copelin,	Jones, D. E.	Thornton,
Cox, A. H.	Kalfus,	Thruston,
Cox, L. B.	Lair,	Todd, J. F.
Crow,	Lawless,	Todd, R. S.
Dickey,	Leslie,	Triplett,
Eaker,	McHenry,	Tully,
Early,	McRery,	Wheat,
Ewing,	Parker,	Wright—64.
Ford,		

Ordered, That said bill be read a third time.

Mr. Thruston asked leave to bring in a bill to amend the charter of the Bank of Louisville, which was granted.

Ordered, That the committee on Banks prepare and bring in the same.

Mr. Barnett, from the committee on Propositions and Grievances, reported a bill to establish the county of ——, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to Messrs. J. Clark, Speed and McHenry, with instructions to report it to the House, on Thursday next, at 12 o'clock.

At 6 o'clock, P. M., Mr. Chambers moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ford,	McRery,
Messrs. Ballinger,	Gale,	Moore,
Ballinger,	Glenn,	Parker,
Barnett,	Gore,	Porter,
Beard,	Graves,	Prewitt,
Bowman,	Gray, R. B.	Runyon,

Bradley,	Groesbeck,	Russell,
Brasher,	Hambleton,	Salter,
Brown,	Hardy,	Shacklett,
Burnam,	Harrison,	Shanklin,
Cessna,	Haskin,	Shawhan,
Chambers,	Hays,	Speed,
Clark, J.	Hobbs,	Stanley,
Clark, W. J.	Hopkins,	Sterett,
Cleaveland,	Hughes,	Stone,
Collins,	Humphreys,	Sea,
Copelin,	Imboden,	Terrill,
Corum,	Johnson,	Thornton,
Cox, A. H.	Jones, D. E.	Thruston,
Cox, L. B.	Kalfus,	Todd, J. F.
Crow,	Lair,	Todd, R. S.
Dallam,	Lawless,	Towles,
Dudley,	Lecompte,	Tully,
Eaker,	Leslie,	Wheat,
Early,	Marshall, T	Wright—77.
Ewing,	Mason,	

Those who voted in the negative, were—

Messrs. Anthony,	Friend,	Harris,
Carter,	Garrard,	Heady,
Chesnut,	Haggard,	Root—10.
Dickey,		

TUESDAY, JANUARY 28, 1845.

1. Mr. T. Marshall presented the petition of King D. McLane and Arthur Stephenson, praying that the acts in relation to the town of Concord, in Lewis county, may be revived and continued in force.
2. Also, the petition of Charles Caines, late Sheriff of Lewis county, praying that further time be given him to collect the taxes, muster fines, &c., due him.
3. Mr. Lecompte presented the petition of sundry citizens of the town of Port Royal, in Henry county, praying the incorporation of a Seminary of Learning in said town.
4. Mr. Gano presented the petition of James Herndon, executor of the will of Susannah Rogers, praying the passage of a law authorizing a sale of

certain real estate held by him in trust for certain slaves set free by said will.

5. Mr. Speed presented the petition of sundry citizens of the City of Louisville, praying that power be given the Mayor and Councilmen of said city to license billiard tables.

Which petitions were severally received, the reading thereof dispensed with, and referred—the 1st, 4th and 5th to the committee for Courts of Justice; the 2d to the committee of Ways and Means, and the 3d to the committee on Education.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred the petition of Elisha Warfield; the petition of Edmund Payne; the petition of John U. Watson, and the petition of Harrison Goslin, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Thruston, from the same committee, to whom was referred the petition of Samuel McGuire, reported the same with the following resolution, to-wit:

Resolved, That said petition be rejected.

Mr. Sea moved to amend said resolution by striking out the words "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Thruston, from the same committee, to whom referred a bill extending the jurisdiction of Magistrates, reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Justices of the Peace in this Commonwealth shall have exclusive original jurisdiction of all sums not exceeding one hundred dollars, founded on any speciality bill, or note in writing, or account.

Mr. R. B. Gray moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. F. Todd and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Ewing,	Root,
Ballinger,	Gano,	Runyon,
Beard,	Gray, R. B.	Russell,
Bradley,	Grigsby,	Salter,
Brasher,	Haggard,	Shanklin,
Brown,	Harris,	Sterett,
Chambers,	Haskin,	Terrill,

Clark, W. J.	Hays,	Thornton,
Cleaveland,	Hopkins,	Thruston,
Corum,	Marshall, W. C.	Todd, R. S.
Cox, A. H.	Marshall, T.	Triplett,
Cox, L. B.	McHenry,	Whitaker,
Crow,	Porter,	Wright—41.
Dudley,	Prewitt,	

Those who voted in the negative, were—

Mr. Speaker,	Garrard,	Lawless,
Messrs. Anthony,	Glenn,	Lecompte,
Barnett,	Gore,	Leslie,
Bowman,	Graves,	Mason,
Burnam,	Gray, W. M.	McRery,
Carter,	Hambleton,	Moore,
Cessna,	Hardy,	Nuckolls,
Chesnut,	Harrison,	Parker,
Clark, J.	Heady,	Shacklett,
Collins,	Hendrix,	Shawhan,
Copelin,	Hughes,	Speed,
Desha,	Humphreys,	Stanley,
Dickey,	Imboden,	Stone,
Eaker,	Johnson,	Sea,
Early,	Jones, D. E.	Todd, J. F.
Ford,	Jones, J.	Towles,
Friend,	Kalfus,	Tully,
Gale,	Lair,	Wheat—54.

The said bill was then amended by striking out the words “*exclusive*.”

The said bill was further amended by adding the following, viz:

Provided, however, That the Circuit Courts of this Commonwealth shall have concurrent original jurisdiction of all sums over fifty and under one hundred dollars.

Be it further enacted, That the provisions of this act shall apply only to debts created after its passage.

Be it further enacted, That the Constables of this Commonwealth shall hereafter collect, from the defendant or defendants in execution, no more than three per cent commission on all sums over fifty dollars.

Be it further enacted, That where a judgment is rendered, by a Justice of the Peace, for more than fifty dollars, the plaintiff *may have* his execution directed to the Sheriff of the county where the judgment is rendered, and said Sheriff shall collect the same, as in other cases.

Mr. Haggard moved to lay said bill, as amended, on the table for the present.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Stone, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Gano,	Prewitt,
Ballinger,	Gore,	Root,
Beard,	Graves,	Runyon,
Bradley,	Gray, R. B.	Russell,
Brasher,	Grigsby,	Salter,
Brown,	Groesbeck,	Shanklin,
Burnam,	Haggard,	Speed,
Carter,	Harris,	Stanley,
Cessna,	Haskin,	Sterett,
Chambers,	Hays,	Stone,
Clark, W. J.	Heady,	Terrill,
Cleaveland,	Hopkins,	Thornton,
Collins,	Johnson,	Thruston.
Corum,	Jones, J.	Todd, R. S.
Cox, A. H.	Marshall, W. C.	Tripplett,
Cox, L. B.	Marshall, T.	Tully,
Dallam,	McHenry,	Wheat,
Dudley,	Parker,	Whitaker,
Ewing,	Porter,	Wright—57.

Those who voted in the negative, were—

Messrs. Anthony,	Garrard,	Lawless,
Barnett,	Glenn,	Lecompte,
Bowman,	Gray, W. M.	Leslie,
Chesnut,	Hambleton,	Mason,
Copelin,	Hardy,	McRery,
Crow,	Harrison,	Moore,
Desha,	Hendrix,	Nuckolls,
Dickey,	Hughes,	Shacklett,
Eaker,	Humphreys,	Shawhan,
Early,	Imboden,	Sea,
Ford,	Jones, D. E.	Todd, J. F.
Friend,	Kalfus,	Towles—38.
Gale,	Lair,	

Mr. Thruston, from the same committee, to whom was referred the petition of the heirs of Robert and Edward Shanklin, and the petition of Thomas Houser, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Thruston, from the same committee, reported the following bills, viz:

A bill to amend an act, entitled, an act to incorporate the town of Lancaster, approved February 23, 1837, and for other purposes.

A bill granting a change of venue to Tarlton Boren.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third read-

ings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Collins, from the select committee, to whom was referred the bill to amend the revenue laws, reported the same with an amendment, as a substitute for said bill.

On motion of Mr. Triplett,

Ordered, That said bill and amendment be referred to a committee of the whole House.

The House then resolved itself into a committee of the whole, on said bill and amendment—Mr. Hays in the chair—and after some time spent therein, the Speaker resumed the chair, when Mr. Hays reported that the committee had, according to order, had under consideration the bill and amendment aforesaid, and had instructed him to report the same to the House, without amendment, which he handed in at the Clerk's table.

Mr. T. Marshall moved the following resolution, viz:

Resolved, That the Hall of Representatives be tendered, under the charge of the Sergeant-at-Arms, to the ministers of the Methodist Episcopal Church, for the purpose of holding their Annual Conference, in September next.

Which was unanimously adopted.

And then the House adjourned.

WEDNESDAY, JANUARY 29, 1845.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act for the benefit of the widow and heirs of Morris Tudor, deceased.

An act for the benefit of Stephen Atherton.

An act to incorporate the Trustees of the Sharon Presbyterian Church, in Bracken county.

An act granting a change of venue to Henry Huffman.

An authorizing the County Court of Daviess to lease a portion of the public square in the town of Owensboro'.

An act concerning the town of Versailles.

An act to amend an act, entitled, an act to amend the law concerning slaves, and for other purposes, approved January 28, 1830.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act giving to the Falmouth Bridge Company further time to receive subscriptions of stock and complete said bridge.

An act prescribing the duties of Agents appointed so sell forfeited lands, and applying the proceeds of sales to the Sinking Fund.

An act for the benefit of James B. Ewers, deceased.

An act for the benefit of Daniel P. White, and the heirs of John Y. Taylor, deceased, and Pleasant H. Williams.

An act for the benefit of Burr Harrison, and the infant heir of Elizabeth H. Bain, deceased.

An act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836.

An act to incorporate a College in the county of Union, styled the Henry Clay Institute.

An act for the benefit of the sureties of James H. McKee.

An act for the benefit of Marietta H. Estes and her children.

An act to amend an act concerning the appointment of Trustees of the town of Port Oliver, in Allen county.

An act for the relief of the heirs and legal representatives of John Kek, deceased.

An act for the benefit of the heirs of John W. Wooldridge, deceased.

An act for the benefit of the heirs of Thomas Henry, deceased.

An act to extend the jurisdiction of the Trustees of the town of Princeton, in Caldwell county.

1. Mr. J. Clarke presented the petition of Alfred M. Wyatt, praying permission to remove certain slaves to the State of Missouri, held by him and the infant heirs of James Johnson, deceased.

2. Mr. Shanklin presented the petition of Elizabeth Newman and Edmund Newman, the widow and heir of George Newman, deceased, praying the passage of a law authorizing a sale of certain real estate in lieu of the slaves of the estate of said deceased, to pay his debts.

3. Mr. Runyon presented the petition of Lucinda Newby, praying to be divorced from her husband, John Newby.

4. Mr. Mason presented the remonstrance of sundry citizens of Fleming county, against adding said county to the 19th Judicial District.

Which were received, the reading thereof dispensed with, and referred—the 1st and 2d to the committee for Courts of Justice; the 3d to the committee on Religion, and the 4th to Messrs. Porter, R. S. Todd and Collins.

Mr. Johnson asked leave to bring in the following bill, *viz.:*

A bill allowing Joseph M. Potts, late Sheriff of Daviess county, further time to collect the revenue tax, county levy and militia fines in said county; which was granted.

Ordered, That the committee of Ways and Means prepare and bring in the same.

Mr. Chambers, from the committee on Banks, made the following report, to-wit:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer print 150 copies of said report for the use of the General Assembly.

Mr. Thruston, from the committee for Courts of Justice, reported the following bills, *viz.:*

A bill concerning appeals from judgments of Justices of the Peace.

A bill to amend the act providing that the estates of persons dying without heirs or distributees shall vest in the Commonwealth, and for other purposes.

Which were read the first time.

And the question being taken on reading said bills a second time, it was decided in the negative, and so the said bills were rejected.

A message was received from the Senate, by Mr. James, asking leave to withdraw their report, announcing their disagreement to a bill from this House, entitled, an act for the benefit of John Reynolds, which was granted, and the same was withdrawn.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill from the Senate, entitled, an act for the benefit of Fayette Posey, of the county of Henderson, reported the same without amendment.

The question was then taken on reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and Stone, were as follows, *viz.:*

Those who voted in the affirmative, were—

Mr. Speaker,	Gano,	Marshall, T.
Messrs. Anthony,	Garrard,	Mason,
Barnett,	Glenn,	McRery.
Bradley,	Graves,	Moore,
Chambers,	Grigsby,	Nuckolls,
Clark, J.	Hambleton,	Shacklett,
Collins,	Haskin,	Speed,
Crow,	Heady,	Stanley,
Desha,	Humphreys,	Sterett,
Dickey,	Imboden,	Sea,
Dudley,	Johnson,	Terrill,

Eaker,	Jones, J.	Todd, J. F.
Early,	Lair,	Towles,
Ewing,	Lawless,	Tully,
Friend,	Lecompte,	Wheat,
Gale,	Marshall, W. C.	Whitaker—48.

Those who voted in the negative, were—

Messrs. Ballingal,	Ford,	Porter,
Ballinger,	Gore,	Prewitt,
Bowman,	Gray, R. B.	Root,
Brasher,	Gray, W. M.	Runyon,
Burnam,	Haggard,	Russell,
Carter,	Hardy,	Salter,
Cessna,	Harris,	Shanklin,
Chesnut,	Hays,	Shawhan,
Clark, W. J.	Hendrix,	Stone,
Cleaveland,	Hughes,	Thornton,
Copelin,	Jones, D. E.	Thruston,
Corum,	Kalfus,	Todd, R. S.
Cox, A. H.	Leslie,	Triplett,
Cox, L. B.	McHenry,	Wright—43.
Dallam,		

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Mr. Haggard moved to amend said bill by adding the following engrossed clause, by way ryder, viz :

Be it further enacted, That every person in Kentucky shall have the right to import two slaves into this State without a violation of the law of 1833.

Mr. Ewing moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment of Mr. Haggard be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chambers and McHenry, were as follows, viz:

Those voted in the affirmative, were—

Messrs. Anthony,	Dickey,	Lair,
Ballingal,	Early,	Lecompte,
Ballinger,	Friend,	Leslie,
Bowman,	Garrard,	McHenry,
Brasher,	Glenn,	Root,
Carter,	Gray, R. B.	Shacklett,
Chesnut,	Haggard,	Shawhan,
Cleaveland,	Heady,	Sterett,
Corum,	Hendrix,	Thruston,
Dallam,	Hughes,	Triplett,
Deshaw,	Jones, J.	Wheat—33.

Those who voted in the negative, were—

Mr. Speaker,	Graves,	Moore,
Messrs. Barnett,	Gray, W. M.	Nuckolls,
Bradley,	Grigsby,	Porter,
Brown,	Hambleton,	Prewitt,
Burnam,	Hardy,	Runyon,
Cessna,	Harris,	Russell,
Chambers,	Harrison,	Salter,
Clark, J.	Haskin,	Shanklin,
Clark, W. J.	Hays,	Speed,
Collins,	Hobbs,	Stanley,
Copelin,	Hopkins,	Stone,
Cox, A. H.	Humphreys,	Sea,
Cox, L. B.	Imboden,	Terrill,
Crow,	Johnson,	Thornton,
Dudley,	Jones, D. E.	Todd, J. F.
Eaker,	Kalfus,	Todd, R. S.
Ewing,	Lawless,	Towles,
Ford,	Marshall, W. C.	Tully,
Gale,	Marshall, T.	Whitaker,
Gano,	Mason,	Wright—62.
Gore,	McRery,	

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Porter and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Friend,	Lawless,
Messrs. Anthony,	Gale,	Lecompte,
Barnett,	Gano,	Marshall, W. C.
Beard,	Garrard,	Marshall, T.
Bradley,	Glenn,	Mason,
Brown,	Graves,	McRery,
Cessna,	Gray, R. B.	Moore,
Chambers,	Grigsby,	Nuckolls,
Clark, J.	Hambleton,	Shacklett,
Collins,	Haskin,	Speed,
Copelin,	Heady,	Stanley,
Crow,	Hopkins,	Sterett,
Desha,	Hughes,	Sea,
Dickey,	Humphreys,	Terrill,
Dudley,	Imboden,	Todd, J. F.
Eaker,	Johnson,	Towles,
Early,	Jones, J.	Tully,
Ewing,	Lair,	Whitaker—54.

Those who voted in the negative, were—

Messrs. Ballingal,	Gray, W. M.	Prewitt,
Ballinger,	Groesbeck,	Root,
Bowman,	Haggard,	Runyon,
Brasher,	Hardy,	Russell,
Burnam,	Harris,	Salter,
Carter,	Harrison,	Shanklin,
Chesnut,	Hays,	Shawhan,
Clark, W. J.	Hendrix,	Stone,
Cleaveland,	Hobbs,	Thornton,
Corum,	Jones, D. E.	Thruston,
Cox, A. H.	Kalfus,	Todd, R. S.
Cox, L. B.	Leslie,	Triplett,
Dallam,	McHenry,	Wheat,
Ford,	Porter,	Wright—43.
Gore,		

Resolved, That the title thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill to change the mode of advertising lands to be sold for taxes, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend the road laws of Pendleton county.

An act to regulate certain duties of Clerks.

An act establishing a chancery and criminal term of the Marion Circuit Court.

An act for the benefit of Nancy A. and Robert W. Lowry, Jr.

An act to allow an additional Justice of the Peace to Marshall county, and for other purposes.

An act to amend an act, entitled, an act incorporating the town of Bardstown.

An act for the benefit of Linchfield Sharp.

An act for the benefit of Jane Cox.

An act providing for a change of venue in the prosecution pending in the Jefferson Circuit Court, against Paschal D. Craddock, for perjury.

An act for the benefit of Joseph Howard.

An act for the benefit of Sally B. Booker.

And bills which originated in the Senate, of the following titles, viz:

An act to change the place of voting in the Little Fork precinct, in Carter county, to the house of James Beggs, of said county.

An act to amend an act, entitled, an act for the benefit of Merial Deneal, of Spencer county.

An act to incorporate the Cloverport Seminary.

An act for the benefit of Margaret J. Singleton.

An act for the benefit of the widow of James C. Ashbrook, deceased, of Boone county.

An act to amend an act, entitled, an act to amend an act to incorporate the Western Baptist Theological Institute of Covington, approved 2d February, 1841.

An act for the benefit of William A. Robards and others.

An act for the benefit of Foster Ray, of Marion county.

An act to change the name of Sarah Ann Goodwin to Sarah Ann Blakely.

An act authorizing the County Court of Christian county to change the location of a part of the Hopkinsville and Morgantown State Road.

An act to amend an act approved March 2, 1844, in relation to Constables.

An act to change the name of Sophia Jeffries to that of Sophia Hancock.

An act to run and re-mark a portion of the boundary line between the States of Kentucky and Tennessee.

An act supplemental to an act, entitled, an act to establish the county of Fulton.

An act to incorporate the Bardstown Female Seminary.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

Mr. Collins read and laid on the table the following resolution, viz:

WHEREAS, This General Assembly heretofore passed a resolution for the adjournment of the two Houses, without day, on the 1st day of February next, and it now being evident that said adjournment cannot take place without leaving unfinished a great mass of important business—and great detriment to the public interest: therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the resolution fixing the 1st day of February as the day of adjournment, be, and the same is hereby rescinded.

2. *Resolved*, That the two Houses of this General Assembly will adjourn, without day, on the 10th day of February next.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Mr. Mason moved to amend said resolutions by striking out the second.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ewing and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Friend,	Lecompte,
Ballinger,	Garrard,	Marshall, T
Brasher,	Graves,	Mason,
Cleaveland,	Haggard,	Sterett,
Corum,	Johnson,	Stone,
Eaker,	Jones, J.	Towles—20.
Early,	Lair,	

Those who voted in the negative, were—

Mr. Speaker,	Gano,	McRery,
Messrs. Anthony,	Gore,	Moore,
Barnett,	Gray, R. B.	Nuckolls,
Beard,	Gray, W. M.	Porter,
Bowman,	Grigsby,	Prewitt,
Bradley,	Groesbeck,	Root,
Brown,	Hambleton,	Runyon,
Burnam,	Hardy,	Russell,
Carter,	Harris,	Salter,
Cessna,	Harrison,	Shacklett,
Chambers,	Haskin,	Shanklin,
Chesnut,	Hays,	Shawhan,
Clark, J.	Heady,	Speed,
Clark, W. J.	Hendrix,	Stanley,
Collins,	Hobbs,	Sea,
Copelin,	Hopkins,	Terrill,
Cox, A. H.	Hughes,	Thornton,
Cox, L. B.	Humphreys,	Thruston,
Crow,	Imboden,	Todd, J. F.
Dallam,	Jones, D. E.	Todd, R. S.
Desha,	Kalfus,	Triplett,
Dickey,	Lawless,	Tully,
Dudley,	Leslie,	Wheat,
Ewing,	Marshall, W. C.	Whitaker,
Ford,	McHenry,	Wright—76.
Gale,		

The question was then taken on the adoption of the resolutions, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dallam and Wheat, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ford,	Lawless,
Messrs. Anthony,	Friend,	Lecompte,
Ballingal,	Gano,	McHenry,
Ballinger,	Garrard,	McRery,

Beard,	Glenn,	Moore,
Bowman,	Gore,	Nuckolls,
Brasher,	Gray, R. B.	Porter,
Burnam,	Gray, W. M.	Prewitt,
Carter,	Grigsby,	Root,
Cessna,	Groesbeck,	Runyon,
Chambers,	Haggard,	Russell,
Chesnut,	Hambleton,	Shanklin,
Clark, J.	Hardy,	Speed,
Clark, W. J.	Harrison,	Sterett,
Cleaveland,	Haskin,	Sea,
Collins,	Hendrix,	Thornton,
Copelin,	Hobbs,	Thruston,
Cox, A. H.	Hopkins,	Triplett,
Cox, L. B.	Humphreys,	Tully,
Dudley,	Jones, D. E.	Whitaker,
Eaker,	Jones, J.	Wright—65.
Early,	Kalfus,	

Those who voted in the negative, were—

Messrs. Barnett,	Harris,	Mason,
Bradley,	Hays,	Salter,
Brown,	Heady,	Shacklett,
Corum,	Hughes,	Shawhan,
Crow,	Imboden,	Stanley,
Dallam,	Johnson,	Stone,
Desha,	Lair,	Terrill,
Dickey,	Leslie,	Todd, J. F.
Ewing,	Marshall, W. C.	Todd, R. S.
Gale,	Marshall, T.	Wheat—31.
Graves,		

The following bills were reported by the committee for Courts of Justice, viz:

A bill to change the venue in the case of John Cook, of the City of Louisville, charged with arson.

A bill for the benefit of the heirs of Daniel Lyle, deceased.

A bill to amend the law in relation to the claims of witnesses attending the County Courts.

A bill to amend the laws concerning the establishment of ferries and mills.

A bill for the benefit of the heirs of Elizabeth Doris, of Hopkins county.

A bill to incorporate the Amateur Band, of the town of Danville.

A bill to repeal an act enlarging the powers of the Trustees of the town of Madisonville, and for other purposes.

A bill to reduce the number of Justices of the Peace and Constables of Adair county, and for other purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third

readings of said bills, having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the bill to amend the revenue laws, and the amendment proposed thereto, and after some discussion had thereon.

At 20 minutes of 3 o'clock, P. M., Mr. Mason moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lawless and W. C. Marshall, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Friend,	Marshall, T.
Messrs. Ballingal,	Gano,	Mason,
Barnett,	Garrard,	Moore,
Beard,	Gore,	Nuckolls,
Bowman,	Gray, R. B.	Porter,
Bradley,	Gray, W. M.	Root,
Brown,	Grigsby,	Runyon,
Carter,	Groesbeck,	Russell,
Cessna,	Haggard,	Shanklin,
Clark, J.	Hambleton,	Speed,
Cleaveland,	Heady,	Stanley,
Copelin,	Hendrix,	Sea,
Corum,	Hobbs,	Terrill,
Cox, A. H.	Humphreys,	Thornton,
Cox, L. B.	Imboden,	Thruston.
Crow,	Johnson,	Todd, J. F.
Dudley,	Jones, J.	Todd, R. S.
Eaker,	Lair,	Towles,
Early,	Lecompte,	Tully,
Ford,	Marshall, W. C.	Wheat—60.

Those who voted in the negative, were—

Messrs. Anthony,	Glenn,	Lawless,
Ballinger,	Graves,	Leslie,
Brasher,	Hardy,	McHenry,
Burnam,	Harris,	McRery,
Chambers,	Harrison,	Prewitt,
Chesnut,	Haskin,	Salter,
Clark, W. J.	Hays,	Shacklett,
Collins,	Hopkins,	Shawhan,
Desha,	Hughes,	Stone,
Dickey,	Jones, D. E.	Triplett,
Ewing,	Kalfus,	Wright—34.
Gale,		

THURSDAY, JANUARY 30, 1845.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act for the benefit of Fanny Beal and Susannah McGary.

An act divorcing Charles S. Graham.

That they had passed bills of the following titles, viz:

An act concerning the town of Augusta.

An act for the benefit of the estate of Charles H. Webb, deceased.

An act for the benefit of the heirs of Susan B. Collins, and the heirs of Nancy Whitesides, deceased.

An act to change the name of William Henry Rice, of Boyle county, to that of William Henry Miller.

An act to authorize the Trustees of the town of Breathitt to change an alley in said town.

An act for the benefit of Henry Jones.

An act to place a part of the State road leading from Princeton to Centreville, in Caldwell county, under the power of the County Court of said county.

An act for the benefit of the Surveyor of Trigg county.

An act to allow an additional Justice of the Peace and Constable to Letcher county.

An act establishing additional election precincts in Harrison and Crittenden counties.

1. Mr. Grigsby presented the petition of sundry citizens of Owsley county, praying a change in the location of the Seat of Justice of said county.

2. Also, the remonstrance of sundry citizens of said county, against said change.

3. Mr. Beard presented the petition of William F. McKinney, praying the establishment of a town on his lands, on the Cumberland river.

4. Mr. Grigsby presented the petition of sundry citizens of the town of Bardstown, praying a change of the law regulating the collection of the town tax.

5. Mr. Early presented the petition of John Ross, administrator of the estate of John Richmond, deceased, praying the passage of a law authorizing the sale of the real estate of said deceased.

6. Mr. Chesnut presented the petition of sundry citizens of Laurel, Rockcastle and Madison counties, praying a repeal of an act in relation to the Turnpike gate on the Madison Fork of the Wilderness road.

7. Also, the remonstrance of sundry citizens of said counties, against such repeal.

8. Also, the petition of Jarvis Jackson, Sheriff of Laurel county, praying further time to return his delinquent list, and for other purposes.

9. Mr. Dudley presented the petition of Lewis H. Ware, praying that permission be given him to retail spirituous liquors, without license.

10. Mr. Chesnut presented the petition of sundry citizens of Laurel county, praying the passage of a law establishing a State road from the Whitley line to the present State road near London, in Laurel county.

11. Mr. Hughes presented the petition of Alfred Moore, praying permission to build a fish dam on Tradewater river.

12. Mr. Lair presented the petition of sundry citizens of Pulaski county, praying a change in the place of voting in an election precinct in said county.

Which were received, the reading thereof dispensed with, and referred—the 1st and 2d to the committee on Privileges and Elections; the 3d and 5th to the committee for Courts of Justice; the 4th to Messrs. Grigsby, Gore and Kalsus; the 6th, 7th, 10th and 11th to the committee on Internal Improvement; the 8th and 9th to the committee on Ways and Means, and the 12th to the committee on Propositions and Grievances.

Mr. Nuckolls asked leave to bring in a bill for the benefit of Marshall county, which was granted.

Ordered, That the committee for Courts of Justice prepare and bring in the same.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act to regulate certain duties of Clerks.

An act to amend the road laws of Pendleton county.

An act establishing a chancery and criminal term of the Marion Circuit Court.

An act for the benefit of Nancy and Robert W. Lowry, Jr.

An act to allow an additional Justice of the Peace to Marshall county, and for other purposes.

An act to amend an act, entitled, an act incorporating the town of Bardstown.

An act for the benefit of Linchfield Sharp.

An act to amend the charter of the city of Lexington.

An act for the benefit of Jane Cox.

An act providing for a change of venue in the prosecution pending in the Jefferson Circuit Court, against Paschal D. Craddock, for perjury.

An act for the benefit of Joseph Howard.

An act for the benefit of Sally B. Booker.

Approved January 29, 1845.

The Speaker laid before the House the memorial of Craig & Henry, Keepers of the Penitentiary, praying that there may be a settlement between them and the State, in relation to the amount of stock, &c., which was tendered on the part of the late Keeper.

On motion of Mr. Hobbs,

Ordered, That the Public Printer forthwith print 150 copies of said memorial for the use of the General Assembly.

Mr. Crow, from the committee on Religion, to whom was referred the petition of Nancy and Eli H. Woods; the petition of Robert J. Flournoy; the petition of Ellen Highfield; the petition of Joseph Sams; and the petition of Isaiah P. Morford, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Crow, from the committee on Religion, reported a bill to divorce John Hobgood, which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the marriage contract heretofore existing between John Hobgood, of Hopkins county, and Rebecca, his wife, be, and the same is hereby forever dissolved and annulled, so far as relates to the said John, and that he be restored to all the rights and privileges of an unmarried man.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Garrard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Graves,	Mason,
Ballingal,	Gray, R. B.	Nuckolls,
Bradley,	Grigsby,	Runyon,
Brown,	Haggard,	Shacklett,
Cessna,	Hambleton,	Shawhan,
Chesnut,	Harrison,	Speed,
Clark, J.	Heady,	Stanley,
Cox, L. B.	Hendrix,	Sterett,
Crow,	Hughes,	Terrill,
Dallam,	Humphreys,	Todd, J. F.
Desha,	Imboden,	Towles,
Dickey,	Johnson,	Tully,

Dudley,
Eaker,
Garrard,

Jones, J.
Kalfus,
Lair,

Wheat,
Whitaker—43.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Ballinger,
Barnett,
Beard,
Bowman,
Brasher,
Burnam,
Carter,
Chambers,
Clark, W. J.
Cleaveland,
Collins,
Copelin,
Corum,
Cox, A. H.
Early,

Ewing,
Ford,
Friend,
Gale,
Gore,
Gray, W. M.
Hardy,
Haskin,
Hays,
Hobbs,
Hopkins,
Jones, D. E.
Lawless,
Lecompte,
Leslie,
Marshall, W. C.

Marshall, T.
McHenry,
McRery,
Moore,
Prewitt,
Russell,
Salter,
Shanklin,
Stone,
Sea,
Thornton,
Thruston,
Todd, R. S.
Tripplett,
Wright—47.

Mr. Crow, from the same committee, reported a bill to divorce Susan Garnett, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

An amendment was proposed to said bill.

Ordered, That said bill and amendment be laid on the table.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Prewitt—A bill to run and re-mark the line between the counties of Montgomery and Morgan.

By the committee on Religion—A bill for the benefit of William B. Field, of Adair county.

By same—A bill to incorporate the First United German Protestant Church, in the City of Louisville.

By same—A bill to incorporate the United Baptist Church, of Garnettsville.

By the committee for Courts of Justice—A bill to revive and continue in force the several acts concerning the town of Concord, in Lewis county, and for other purposes.

By the committee on Education—A bill for the benefit of the Port Royal Seminary, in Henry county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. J. F. Todd,

Ordered, That the bill to repair Lock and Dam No. 1, on Barren river, be made the special order of the day for to-morrow.

The House again resumed the consideration of the bill to amend the revenue laws, and the amendment proposed thereto, as a substitute.

The said substitute reads as follows:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, hereafter, it shall be the duty of the several Commissioners of Tax in this Commonwealth, when taking the lists of taxable property, after having taken the lists of all property required to be specifically listed, to require each person on oath to fix the amount he or she is worth, from all sources, on the day to which said lists relate, (exclusive of property in lands or slaves, or other property not within this Commonwealth, and which is subject to taxation by the laws of the country where situated;) and the Commissioners aforesaid, shall strike from the said amount so assessed and listed, the sum of one hundred dollars, and set down and list the balance for taxation, upon which, the same ad valorem tax shall be paid, as on other property subject to taxation by the existing laws: *Provided*, That the growing crop on land listed for taxation, or articles manufactured in the family, for family use, and all the poultry raised for family use, shall be exempt from taxation, and provisions on hand for family use.

Sec. 2. *Be it further enacted*, That, hereafter, the Commissioners of Tax in the several counties, in listing for taxation the stock in trade of dealers in goods, wares, and merchandise, shall require of the party giving in their lists, to give in, on oath, the full value of their stock, which may be on hand on the 10th day of April next, and on the 10th day of April in each and every year thereafter; and for that purpose, shall call on such dealers of goods, wares, and merchandise, between the 10th day of April and the 1st day of May, in each and every year, for such list; and any such person failing or refusing to comply with the requisitions of this section, shall be liable to the fines and penalties now imposed, by law, for failing or refusing to give in their lists of taxable property to Commissioners of Tax.

Sec. 3. *Be it further enacted*, That every person who shall, after the 10th day of April, in each and every year, remove into this State, or shall bring or send into this State, any goods, wares, and merchandise, and shall open, expose to sale, or vend such goods, wares, and merchandise, shall be required to give in to the Commissioner, or Commissioners of Tax, of the county, where such goods, wares, and merchandise shall be opened, exposed to sale, or vended, the value thereof for taxation, according to the provisions of existing laws; and for a failure to do so, shall be deemed and considered a pedler, within the meaning of the act, entitled, an act to amend the laws concerning pedlers. And said Commissioner, and the Clerks of the County Courts, and Sheriffs, shall, in all respects, in relation to such additional lists, be governed by the laws now in force.

Sec. 4. *Be it further enacted*, That it shall be, and is hereby made the duty of the Attorney General and Secretary of State, to digest all the revenue laws now in force in this Commonwealth, and report the laws so digested, to the next Legislature, in a bill for consideration and re-enactment.

SEC. 5. *Be it further enacted*, That it shall, hereafter, be the duty of the Clerks of the County Courts, as soon as an allowance is made by the Court to the Sheriff, for his delinquent revenue, to make out, forthwith, duplicate copies of such list, one of which he shall place, immediately, in the hands of the Agent for the Commonwealth, in his county, whose duty it shall be to advertise the same at the door of the Court House for three successive County Court days; and the said Agent shall be authorized to receive the tax from any of the delinquents, and report the same to the Second Auditor, and pay it into the Treasury: the other copy shall be handed to the Sheriff, for his credit, in settlement of his revenue account: *Provided*, That nothing in this act shall be so construed as to prevent the Second Auditor from making out his list of removals, &c., as now required by law.

SEC. 6. *Be it further enacted*, That it shall be the duty of the Clerks, Agents for the Commonwealth, Sheriffs, and Collectors of each county, to report to the County Courts, any lands that may come to their knowledge, which have not been entered for taxation, for any number of years; all of which shall be certified to the Sheriff and Second Auditor, and shall be forfeited, as before directed in this act, if the taxes are not paid.

Mr. Mason moved to amend the same by striking out the first section.

Mr. Gano moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Mason to the substitute be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Graves, were as follows, viz:

Those voted in the affirmative, were—

Messrs. Ballingal,	Friend,	Humphreys,
Barnett,	Gale,	Imboden,
Beard,	Garrard,	Lecompte,
Bowman,	Graves,	Marshall, T.
Bradley,	Gray, R. B.	Mason,
Brasher,	Gray, W. M.	Moore,
Carter,	Haggard,	Nuckolls,
Cessna,	Hambleton,	Shacklett,
Clark, J.	Haskin,	Shawhan,
Cleaveland,	Heady,	Stone,
Copelin,	Hendrix,	Sea,
Desha,	Hughes,	Towles—37.
Dudley,		

Those who voted in the negative, were—

Mr. Speaker,	Gore,	Runyon,
Messrs. Ballinger,	Grigsby,	Russell,
Brown,	Hardy,	Salter,
Burnam,	Harris,	Shanklin,
Chambers,	Hays,	Speed,
Chesnut,	Hobbs,	Stanley,

Clark, W. J.	Hopkins,	Sterett,
Collins,	Johnson,	Terrill,
Corum,	Jones, D. E.	Thornton,
Cox, A. H.	Kalfus,	Thruston,
Cox, L. B.	Lair,	Todd, J. F.
Crow,	Lawless,	Todd, R. S.
Dallam,	Leslie,	Triplett,
Dickey,	Marshall, W. C.	Tully,
Eaker,	McHenry,	Waddill,
Ewing,	McRery,	Wheat,
Ford,	Porter,	Whitaker,
Gano,	Prewitt,	Wright—56.
Glenn,	Root,	

The question was then taken on the adoption of the substitute for the original bill, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time. Mr. Collins moved that said bill have its third reading on this day, and it was decided in the affirmative.

The said bill was then read a third time.

Mr. Mason moved to amend said bill by adding the following engrossed clause, by way ryder, viz :

Be it further enacted, That all acts and parts of acts authorizing the issuing or sale of State bonds, or State liabilities of any kind, be, and the same are hereby repealed.

Be it further enacted, That from and after the passage of this act, no officer or agent of this Commonwealth shall be allowed to issue or sell State bonds or State liabilities of any kind, or to borrow money on behalf of the State of Kentucky, for any amount or for any purpose.

Mr. Lawless moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the engrossed ryder, proposed by Mr. Mason, be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Garrard,	Lecompte,
Bradley,	Glenn,	Marshall, T.
Carter,	Graves,	Mason,
Cessna,	Gray, R. B.	Moore,
Cleaveland,	Haskin,	Nuckolls,
Corum,	Heady,	Shacklett,
Desha,	Hendrix,	Shawhan,
Friend,	Hughes,	Towles—26.
Gale,	Imboden,	

Those who voted in the negative, were—

Mr. Speaker,	Ford,	Prewitt,
Messrs. Ballinger,	Gano,	Root,
Barnett,	Gore,	Runyon,
Beard,	Gray, W. M.	Russell,
Bowman,	Grigsby,	Salter,
Brasher,	Haggard,	Shanklin,
Brown,	Hambleton,	Speed,
Burnam,	Hardy,	Stanley,
Chambers,	Harris,	Sterett,
Chesnut,	Harrison,	Stone,
Clark, J.	Hobbs,	Sea,
Clark, W. J.	Hopkins,	Terrill,
Collins,	Johnson,	Thornton,
Copelin,	Jones, D. E.	Thruston,
Cox, A. H.	Jones, J.	Todd, J. F.
Cox, L. B.	Kalfus,	Todd, R. S.
Crow,	Lair,	Triplett,
Dallam,	Lawless,	Tully,
Dickey,	Leslie,	Waddill,
Dudley,	Marshall, W. C.	Wheat,
Eaker,	McHenry,	Whitaker,
Early,	McRery,	Wright—68.
Ewing,	Porter,	

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gore,	Prewitt,
Messrs. Ballinger,	Grigsby,	Root,
Beard,	Hardy,	Runyon,
Brown,	Harris,	Russell,
Burnam,	Harrison,	Shanklin,
Chambers,	Hays,	Speed,
Chesnut,	Hobbs,	Stanley,
Clark, W. J.	Hopkins,	Sterett,
Collins,	Johnson,	Terrill,
Cox, A. H.	Jones, D. E.	Thornton,
Cox, L. B.	Jones, J.	Thruston,
Crow,	Kalfus,	Todd, J. F.
Dallam,	Lair,	Todd, R. S.
Dickey,	Lawless,	Triplett,
Early,	Leslie,	Tully,
Ewing,	Marshall, W. C.	Waddill,
Ford,	McHenry,	Wheat,
Gano,	McRery,	Whitaker,
Garrard,	Porter,	Wright—58.
Glenn,		

Those who voted in the negative, were—

Messrs. Ballingal,	Eaker,	Imboden,
Barnett,	Friend,	Lecompte,
Bowman,	Gale,	Marshall, T
Bradley,	Graves,	Mason,
Brasher,	Gray, R. B.	Moore,
Carter,	Gray, W. M.	Nuckolls,
Cessna,	Haggard,	Salter,
Clark, J.	Hambleton,	Shacklett,
Cleaveland,	Haskin,	Shawhan,
Copelin,	Heady,	Stone,
Corum,	Hendrix,	Sea,
Desha,	Hughes,	Towles—38.
Dudley,	Humphreys,	

Resolved, That the title thereof be as aforesaid.

Mr. Speed read and laid on the table the following resolution, viz:

WHEREAS, By resolution adopted by this House, on the — day of January inst., the late Keeper of the Penitentiary was requested to deposit certain books in the Library, there to remain until the end of the present session, for the use of the committee on the Penitentiary: and whereas, the late Keeper, without the permission of this House, has, this day, removed said books, which books are the property of the State as well as of the late Keeper: and whereas, the joint committees on the Penitentiary, have, in their report, recommend a settlement to be made with the late Keeper: therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the late Keeper be requested, forthwith, to deposit, with the 2d Auditor, all the books, papers, &c., belonging jointly to the State and the late Keeper, there to remain until a final settlement shall be made between the State and said Keeper.

And then the House adjourned.

FRIDAY, JANUARY 31, 1845.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to authorize the County Court of Kenton county to change, at certain points, the location of the State road leading from Independence to Covington.

An act for the benefit of certain school districts in the counties of Fayette and Adair.

An act allow an additional Justice of the Peace to Carter county.

An act to change the time of holding the Larue County Court.

With amendments to the amendments to the two last named bills.

That they had disagreed to the amendment proposed by this House, to a bill from the Senate, entitled, an act to regulate the terms of the Spencer Circuit Court.

That they had concurred in the resolutions from this House, rescinding the resolution for the final adjournment of the General Assembly, and fixing another day for its adjournment.

That they had passed bills from this House, of the following titles, viz:

An act to change the place of voting in the Piner precinct, in Kenton county, and for other purposes.

An act to establish the Cane Spring precinct, in Madison county, and for other purposes.

An act to continue the place of voting at the house of Benjamin E. Gar nett, in the town of Landing.

An act to amend an act, entitled, an act to release to Ohio county the interest of the State in the Hartford Bridge Company.

An act for the benefit of John Allen.

An act authorizing J. Asberry to build a dam across Main Licking river, and for other purposes.

An act permitting A. Rawlings to erect a mill dam across Licking river.

That they had adopted a resolution in relation to the payment of the dividends on the Bank stock owned by the State.

That they had passed bills of the following titles, viz:

An act to establish election precincts in Franklin county.

An act to establish an election precinct in Spencer county.

An act for the benefit of Samuel May.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to change the place of voting in the Little Fork precinct, in Carter county, to the house of James Boggs, of said county.

An act to amend an act, entitled, an act for the benefit of Merial Deneal, of Spencer county.

An act for the benefit of Margaret J. Singleton.

An act to incorporate the Cloverport Seminary.

An act to amend an act, entitled, an act to amend an act to incorporate the Western Baptist Theological Institute of Covington, approved 2d February, 1841.

An act for the benefit of the widow of James C. Ashbrook, deceased, of Boone county.

An act for the benefit of William A. Robards and others.

An act for the benefit of Foster Ray, of Marion county.

An act authorizing the County Court of Christian county to change the location of a part of the Hopkinsville and Morgantown State Road.

An act to change the name of Sarah Ann Goodwin to Sarah Ann Blakely.

An act to amend an act, approved March 2, 1844, in relation to Constables.

An act to change the name of Sophia Jeffries to that of Sophia Hancock.

An act to incorporate the Bardstown Female Seminary.

An act supplemental to an act, entitled, an act to establish the county of Fulton.

An act to run and re-mark a portion of the boundary line between the States of Kentucky and Tennessee.

Approved January 29, 1845.

The Speaker laid before the House a communication from Thomas S. Theobald, late Keeper of the Penitentiary, in relation to the custody of the books of the Penitentiary.

1. Mr. Desha presented the petition of sundry citizens of Harrison county, praying that an additional Justice of the Peace be allowed said county.

2. Mr. McHenry presented the petition of Samuel K. Friend, praying the passage of a law authorizing the widow and heirs of Solomon Derosit, deceased, to convey to him a certain lot of ground in Prestonsburg.

3. Mr. Hendrix presented the petition of Louisa Adaline Flournoy, praying to be divorced from her husband, Robert J. Flournoy.

Which were received, the reading thereof dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to Messrs. McHenry, Hardy, Garrard, Chesnut and Ballinger, and the 3d to the committee on Religion.

Mr. Crow, from the committee on Religion, to whom was referred a bill further to restrict the sale of spirituous liquors, reported the same, with an amendment, which was disagreed to.

Mr. Corum moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Crow, from the same committee, to whom was referred the petition of Margaret McKenzie; the petition of J. R. Beard; the petition of Susan Hendrickson; the petition of John Hathway; the petition of Lucinda Newby; the petition of Archibald Burris; the petition of John Emerson, Jr.; the petition of Sarah Applegate; the petition of Jesse Birkhead, and the

petition of Wm. Long, each praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

On motion of Mr. Terrill, leave was granted to withdraw the petition of Jesse Birkhead, and it was withdrawn.

Mr. Crow, from the same committee, to whom was referred the petition of Amos and Kissy Smith, praying to be divorced from each other, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Eaker moved to amend said resolution by striking out the words "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the negative.

The said resolution was then concurred in.

Mr. Crow, from the same committee, to whom was referred the petition of Rachel Hoskins, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Brown moved to re-commit said bill to the same committee, with instructions to examine into the petition, and report by bill or otherwise.

And the question being taken thereon, it was decided in the affirmative.

Mr. Crow, from the same committee, to whom was referred the petition of Sinclair Stapp, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Wheat moved to amend said resolution by striking out the words "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. R. S. Todd, from the committee on Ways and Means, to whom was referred the petition of Lewis H. Ware, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Religion—A bill for the benefit of George Washington Lafayette Bradley, and for other purposes.

By same—A bill for the benefit of Stephen and Sarah Skaggs, of Green county.

By same—A bill to divorce Sinclair Stapp.

By the committee on Ways and Means—A bill for the benefit of Elijah McWhorter, Jesse Yantes and John Beaty.

By same—A bill for the benefit of Shadrach Mitchell, Solomon King and James Bailey.

By same—A bill for the benefit of the Sheriff of Bourbon county, and for other purposes.

By same—A bill for the benefit of James Squires, of Bourbon county, and for other purposes.

By same—A bill for the benefit of the Sheriffs of Owen and Daviess counties.

By same—A bill for the benefit of Thomas Parker, Alexander Bruce and John Johnson, late Sheriffs of Lewis county.

By same—A bill for the benefit of the Sheriff of Laurel county.

By same—A bill to amend an act concerning the town of Newport, and for other purposes.

By same—A bill authorizing Nathaniel Ferguson to peddle goods without license.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and the titles thereof be as aforesaid.

Mr. McHenry, from the committee on the Sinking Fund, made the following report, viz:

The committee on the Sinking Fund, to whom was referred so much of the Governor's Message as relates to the Sinking Fund, have had the same under consideration, and beg leave to report:

Your committee have not deemed it necessary to present a statistical detail of the receipts and disbursements of the Sinking Fund Commissioners, from the first organization of the Board, but referring to the reports of committees at the former sessions of the Legislature, and to the reports of the Commissioners heretofore, and at the present session, for such details, they proceed to present their estimates of the present and prospective resources of the Fund:

It appears from the printed report of the Commissioners, as well as from information derived from their Secretary, in answer to enquiries addressed to him, that on the 11th December last, the Commissioners had to their credit, in the Bank of America, in New York, the sum of - - - - \$31,808 00

That they transmitted during last month, to the

same Bank, - - - -	85,300 00
And will transmit this week, - - - -	10,000 00
	<hr/> \$127,108 00

These sums are set apart to pay the coupons which fall due this month in New York, which amount to - - - -

113,720 00

And some unclaimed coupons, which fell due at former dates, but have never been presented, and which are supposed to amount to - - - -

3,388 00

117,108 00

Leaving a balance in New York, after paying all the coupons now demandable there, supposed to be - - - -

\$10,000 00

In answer to enquiries, the Secretary of the Sinking Fund has furnished your committee with the following estimates of the present and prospective resources and liabilities of the Fund, for the year 1845. That is, to pay the interest due in in July 1845, and January, 1846.

Due from the Northern Bank, on account,		\$12,361 00
In the Treasury, now part of revenue, 1844,	\$67,972 00	
In the Treasury from miscellaneous resources,	8,728 00	
		76,700 00
Estimate of balance of revenue of 1844, payable this winter,	\$42,000 00	
Miscellaneous sources, 1844,	2,000 00	
		44,000 00
Making,		\$133,061 00
Out of this there is to be paid to the Northern Bank, and Bank Ky., for money borrowed in December last,	\$50,500 00	
To Northern Bank, for interest on \$100,000 of 5 per cent. bonds,	2,500 00	
To Bank of Kentucky, interest on \$150,000 of 5 per cent bonds,	3,750 00	
To Treasury, to pay interest on 6 year bonds,	2,000 00	
		\$58,700 00
Leaving on hand, at the close of the winter,		\$74,361 00
To be added to this, during the year 1845, viz: tax on capital stock in the three banks, payable 1st July, 1845,		35,105 00
From Northern Bank—Dividends on 400 shares, January, 1845, and July, 1845,	\$2,800 00	
Excess dividends on \$250,000 State stock, Janua- ry and July, 1845,	5,000 00	
From Bank dividends, January and July, 1845, on 9,399 shares,	37,596 00	
From Bank of Louisville—Dividends on 406 shares, January and July, 1845,	2,436 00	
Estimate of revenue, 1845,	110,000 00	
Estimated amount to be received from Bank Com- munity, old Bank Kentucky, Roads, Naviga- tion, Brokers and Insurances,	52,000 00	
		209,832 00
Estimated resources,		\$319,298 00
Out of which is to be paid, for interest on State debt, in July, 1845, and January, 1846,	\$250,020 00	
Exchange and contingencies,	2,650 00	
		252,670 00
Estimate of balance on hand, January, 1846,		\$66,628 00
To which may be added dividends on 231 shares of stock, Janua- ry and July, 1844, not yet received,	1,398 00	
		\$68,026 00
Amount carried forward,		\$68,026 00

Amount brought forward,	\$68,026 00
There is in the Bank of Kentucky, to the credit of the Board Internal Improvement, for tolls	
Kentucky River Navigation,	\$7,000 00
Also rent for Railroad,	4,500 00
	11,500 00
Should these be given to the Sinking Fund, the balance, as above estimated, will be, on the 1st January, 1846,	\$79,526 00

If these anticipations should be realized, and could these funds be received in time to meet the liabilities which they are intended to discharge, the Sinking Fund would be able to meet the demands of the year, and, at its close, have a surplus sufficient to refund to the Treasury the sum of \$75,523 25, which was transferred in June, 1844, by the Governor, to the credit of the Commissioners of the Sinking Fund, in the Bank of America. In some respects, however, we fear these estimates are too high, though in the main, they may be relied on. The estimate of \$110,000 from the revenue, is about \$8,000 more than the estimate of the Second Auditor, from the same items; but the surplus of \$ 10,000, already in New York, and which does not enter into the foregoing estimates of the Secretary of the Sinking Fund, will, we have no doubt, more than supply that deficiency.

But an important consideration is, that the resources of the Sinking Fund are, for the most part, not available until after the coupons fall due, which they are set apart to pay.

In the above statement, all the expectancies of the Sinking Fund, from moneys due to the Treasury in 1845, are included; a great portion of which, according to present custom, does not come into the Treasury until January and February, 1846, and some as late as October, while the estimated liabilities fall due against the Sinking Fund in July, 1845, and first of January, 1846. Our dividends, taxes, &c., due from the Banks, fall due here on the same days they are needed in New York, and hence the Commissioners have generally been compelled, in order to preserve the faith of the State, and establish its character for punctuality, to borrow money to meet their engagements.

For example: in December last they borrowed \$50,000 or more, in anticipation of money which was then due from Sheriffs, and which has since come to hand; and we suppose, without having made any minute calculation of that item of contingencies, that these anticipations cost the Sinking Fund, in the course of the year, one per cent. on its disbursements, or upwards of \$2,500. But this is a slight inconvenience, compared with such as might arise from a failure of the State, in the course of time, to realize any considerable amount from the resources on which we rely to meet our current liabilities. Many of these resources are, to a considerable extent, contingent. For example, the amount anticipated from the Bank of the Commonwealth, and old Bank of Kentucky, \$9,000, cannot be safely relied on; and in one or two years these remnants will be exhausted. The amount estimated from turnpike roads, is small, when the capital invested in that branch of Internal Improvement is considered; but unless some stricter system of oversight is devised, we cannot, to say the least, expect any increase of that source of revenue.

Although we believe there is no danger of a failure to pay the interest on the Public Debt at present, or for some time to come, if the \$75,523 transferred to the Sinking Fund in June, 1844, remains there, as a part of the reliances to meet the current interest; yet we are satisfied, that without this

fund, the present provisions are not so ample as it is necessary to make them, in order to place our Sinking Fund above the necessity of borrowing money considerably in advance of its resources. From the history of this transfer, it is palpable that if it is not restored to the purpose for which it was originally designed, the State is, to that extent, paying the interest of her debt with borrowed money.

This sum of \$75,523, is part of the proceeds of the sale of \$100,000 bonds at 5 per cent., for 30 years, by virtue of an act approved 2d day of March, 1843, section 22d. See sheet acts, page 49. Which section authorized the sale of 30 year 5 per cent. bonds, and the investment of the proceeds in Bank stock, if it could be done at a certain discount. Upwards of \$20,000 was vested in the purchase of Bank stock, but the value of the stock having risen above the limit fixed by the statute, the balance of the money was left in the Bank of America, to the credit of the Governor, or his agent, John Tifford; and at the last session of the Legislature, the Governor informed the two Houses of the facts of the case, by his special message, which will be seen in the Journals of the House, page 468.

At the last session the Legislature passed two acts; both of which were approved the same day. By one of them, (see sheet acts, page 75,) the Governor is directed to sell \$160,000 of State bonds for the purpose of paying Contractors; and by the other, (see ib., page 95,) this fund of \$75,523, was also directed to be applied to the payment of the Contractors. Your committee are informed, that as the said two acts of the last session, bore date the same day, and were on the same subject, the then Governor believed that the payment of the Contractors, with bonds or money, as they might choose, and the transfer of the deposit in New York, to the credit of the Sinking Fund, for the purpose of paying the coupons which were about to fall due in New York, would be a substantial compliance with the spirit and meaning of the law. He was vested with the power to sell the bonds to pay the Contractors, and the funds in New York were on deposite to his credit, never having been in the Treasury, or subject to the order of the Treasurer. The State owed the money in New York, and had the money in New York, subject to the check of the Governor, who, as the head of the Department of the Sinking Fund, was charged with the payment of the public liabilities, and the preservation of the public faith and credit. Every cent of the money has been faithfully applied to the use of the State.

But, as already intimated, your committee cannot think it good policy to retain this money in the hands of the Commissioners of the Sinking Fund, for the payment of interest; but the State should furnish the Commissioners with money from other sources, and provide for the re-investment of this amount, in buying in the State bonds, or in other profitable and safe stocks. We are informed, that according to the present quotations, this \$75,523 would now buy \$100,000 of Louisville Bank stock, which would give the State a net profit of 231 shares of Bank stock on the operation.

We need not, however, offer any argument to show that the interest on the State debt ought not to be paid with borrowed money. It is the interest of the State to diminish, not to increase her debt. To extinguish \$100,000 of our 30 year bonds, at this time, would be to remove an incubus, which, in thirty years, if not now removed, will have eaten \$180,000 of the resources of the State, and be still an incubus. We therefore beg leave to recommend that a rigid system of economy be observed in all the public appropriations and expenditures; that the Public Works be so regulated as to secure a greater amount of dividends from them; that all such additions be made to the revenue as the Legislature may deem expedient, and believe that our constituents will approve; and, finally, that the Commissioners of the Sinking Fund be di-

rected, as soon as in their judgment the condition of the fund will justify it, to invest the said sum of \$75,523, and, from time to time, such other sums as they may find it practicable, and think it expedient so to invest, in such bonds of the State, or other valuable, safe and profitable stocks, as they may think most conducive to the interest of the State. That they be required, at each session, to report to the Legislature, at its commencement, the condition of the fund, and particularly what amounts have been borrowed or anticipated by them, and all the particulars attending the same.

It will be seen that in these estimates no provision is made for paying, out of the Sinking Fund, the interest on \$917,500 of State bonds held by the Board of Education. No part of the State debt, in the opinion of the committee, imposes a more solemn obligation on the State than this. And although the current demands of the system are not equal to the interest on those bonds, those demands would be, doubtless, increased, by the establishment of new Schools, if the State would make adequate provision for the payment of the interest. As it would not be advisable, if we were now prepared to do so, to pay over the whole amount of back interest, to be expended in one or two years, your committee would recommend that the \$917,500 of bonds, be taken in and destroyed, and our renewed obligation for the aggregate amount of principal and interest, be given on the part of the State to the Board of Education, stipulating for the payment of interest half yearly, and solemnly dedicating the amount promised, to the purpose of Education. And that such provision be made at the present session of the Legislature, for the payment of some considerable portion, at least, of the interest hereafter to accrue on the School Fund, as shall give earnest of the ultimate fulfilment of our repeated pledges, and the very solemn obligations which we owe to our own generation, and to posterity, to educate the children of the Commonwealth.

Respectfully,

M. D. McHENRY, *Chairman.*

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the General Assembly.

Mr. McHenry, from the committee on the Sinking Fund, reported a bill to regulate the tolls on the Kentucky river, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be made the special order of the day for Monday next.

Mr. McHenry moved the following resolution, viz:

Resolved, That the use of the Hall of the House of Representatives, under the care of the Sergeant-at-Arms, be tendered to the Kentucky State Colonization Society, for the purpose of holding the annual meeting of said Society, on Thursday evening next.

Which was adopted.

The House then took up the bill to establish District Courts, and for other purposes, and after some discussion had thereon,

The House adjourned.

SATURDAY, FEBUARY 1, 1845.

Mr. Harrison presented the petition of Reuben Risten, praying that permission be given him to retail spirituous liquors without license.

Which was received, the reading thereof dispensed with, and referred to the committee on Religion.

Mr. Dallam, from the joint committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the House of Representatives, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the widow and heirs of Morris Tudor, deceased.

An act for the benefit of Fanny Beal and Susannah McGary.

An act to amend an act, entitled, an act to release to Ohio county the interest of the State in the Hartford Bridge Company.

An act for the benefit of Stephen Atherton.

An act to continue the place of voting at the house of Benjamin E. Garnett, in the town of Landing.

An act for the benefit of John Allen.

An act to change the place of voting in the Piner precinct, in Kenton county, and for other purposes.

An act permitting A. Rawlings to erect a mill dam across Licking river.

An act authorizing J. Asberry to build a dam across Main Licking river, and for other purposes.

An act to establish the Cane Spring precinct, in Madison county, and for other purposes.

An act concerning the town of Versailles.

An act divorcing Charles S. Graham.

An act to incorporate the Trustees of the Sharon Presbyterian Church, in Bracken county.

An act granting a change of venue to Henry Huffman.

An authorizing the County Court of Daviess to lease a portion of the public square in the town of Owensboro'.

Also, enrolled bills which originated in the Senate, of the following titles, to-wit:

An act for the benefit of Fayette Posey, of the county of Henderson.

An act for the benefit of certain school districts in the counties of Fayette, Adair and Wayne.

An act to authorize the County Court of Kenton county to change, at certain points, the location of the State road leading from Independence to Covington.

An act to provide for taking the sense of the people of Mason county relative to the Seat of Justice of said county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to extinguish the rent and title of the City of Lexington to the Railroad Depot and Warehouse, with an amendment.

Mr. Stone presented the petition of John Leveridge, praying the establishment of a town on his lands, in the county of Russell.

Which was received, the reading thereof dispensed with, and referred to the committee for Courts of Justice.

Mr. Bowman moved the following resolution, viz:

Resolved, That the committee for Courts of Justice be instructed to report to this House, on Tuesday next, at 12 o'clock, a bill from the Senate repealing the \$250 exemption law.

Which being twice read, was adopted.

Mr. Root, from the committee on Ways and Means, reported a bill for the benefit of common schools, and for other purposes, which was read the first time, as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an additional sum of two cents be collected, by the proper officers, on each one hundred dollars worth of taxable property, in this State, for the year 1845, and for each and every year thereafter; and that the entire one half of the revenue arising therefrom, shall, and is hereby solemnly and exclusively applied in aid of the resources of the school fund, to maintain the common schools in this Commonwealth, which shall be paid into the State Treasury as other revenue, subject to the uses aforesaid; and that the other one half, arising as aforesaid, shall be paid to the Sinking Fund, and may be applied to the redemption of the six year six per cent State bonds, or other purposes of said fund.

SEC. 2. *Be it further enacted*, That all sums appropriated by this act, and which shall be applied to the purposes of education, shall be in satisfaction of so much of the interest on the State bonds held by the Board of Education.

And the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. T. Marshall and J. Clark, were as follows, viz:

Those voted in the affirmative, were—

Mr. Speaker,	Glenn,	Moore,
Messrs. Ballingal,	Gore,	Porter,
Burnam,	Hobbs,	Root,
Cessna,	Hopkins,	Shanklin,
Chambers,	Jones, D. E.	Speed,
Clark, J.	Marshall, W. C.	Thornton,

Clark, W. J.	Marshall, T.	Thruston,
Collins,	Mason,	Todd, R. S.
Corum,	McHenry,	Tully,
Ford,	McRery,	Wright—31.
Gano,		

Those who voted in the negative, were—

Messrs. Anthony,	Ewing,	Kalfus,
Ballinger,	Friend,	Lair,
Barnett,	Gale,	Lawless,
Beard,	Garrard,	Lecompte,
Bowman,	Graves,	Leslie,
Bradley,	Gray, R. B.	Nuckolls,
Brasher,	Gray, W. M.	Prewitt,
Brown,	Groesbeck,	Runyon,
Carter,	Haggard,	Salter,
Chesnut,	Hambleton,	Shacklett,
Cleaveland,	Hardy,	Shawhan,
Copelin,	Harrison,	Stanley,
Cox, A. H.	Haskin,	Sterett,
Cox, L. B.	Hays,	Stone,
Crow,	Heady,	Sea,
Dallam,	Hendrix,	Terrill,
Desha,	Hughes,	Todd, J. F.
Dickey,	Humphreys,	Towles,
Dudley,	Imboden,	Triplett,
Eaker,	Johnson,	Wheat—62.
Early,	Jones, J.	

Mr. Lawless, from the committee on Internal Improvement, reported a bill to provide for opening certain parts of the Lexington and Louisville Railroad, which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so said bill was rejected.

Mr. J. F. Todd, from the same committee, to whom was referred a bill from the Senate, entitled, an act declaring Bear creek and Little Barren river navigable streams, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House again resumed the consideration of the bill to establish District Courts, and for other purposes.

The bill reads as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the present Circuit Courts, and the General Court of Kentucky, be, and the same are hereby repealed and abolished, so soon as this act takes effect.

SEC. 2. *Be it further enacted*, That District Courts shall be, and they are hereby established, and shall be held at least twice a year, in each county composing the districts hereafter mentioned.

SEC. 3. *Be it further enacted*, That there shall be a District Judge, and Commonwealth's Attorney appointed and commissioned for each of the districts hereafter named, which said Judge, when so appointed and commissioned, shall constitute a court for the district to which he is so appointed.

SEC. 4. *Be it further enacted*, That the District Courts established by this act, shall have jurisdiction in all causes, matters, and things, at common law and in chancery, within their respective districts, that the Circuit Courts now have; and the said District Courts shall have all jurisdiction, rights, and powers, and shall be governed by the same rules, regulations, and restrictions, by which the Circuit Courts are now governed.

SEC. 5. *Be it further enacted*, That before any District Judge can act as such, he shall swear or affirm, before some Justice of the Peace, that he will administer justice without respect to persons, and do equal right to the poor and the rich; and that he will faithfully and impartially discharge the duties of a District Judge, according to the best of his abilities and understanding, agreeable to the constitution and laws of this Commonwealth; and a certificate of his oath or affirmation shall be recorded in the District Court to which said Judge may be appointed.

SEC. 6. *Be it further enacted*, That if a District Judge shall fail to attend on the first day of any district term, the Court shall stand adjourned, from day to day, until a District Judge do attend, provided that should take place before twelve o'clock on the 4th day of said term.

SEC. 7. *Be it further enacted*, That the Sheriffs of the several counties shall summons petit and grand juries to attend the District Courts in their respective counties, at the times hereafter fixed for holding the same, in the same manner they are now required to summons petit and grand jurors to attend the Circuit Court; which petit and grand jurors shall be selected to attend the District Courts, in the same manner they are now selected to attend the Circuit Courts, and they shall receive the same compensation, and in the same manner they now receive compensation for attending the Circuit Courts. And it shall also be the duty of the several Sheriffs of this Commonwealth, to attend the District Courts of their respective counties, and obey the orders of said District Courts, as the law directs in case of Circuit Courts.

SEC. 8. *Be it further enacted*, That the Clerks of each Circuit Court in this Commonwealth, after this act takes effect, shall, on demand, or within ten days thereafter, deliver to the Clerk of the District Court of the county in which such Circuit Court is now held, all the books, records, papers, and other appendages of his office, together with the possession of the room in which said office is now held, provided said room was erected, or is now owned by the county, for the purpose of holding therein the office of Circuit Court Clerk. And in case of failure or refusal of said Clerk to comply with the requisitions of this act, he may be imprisoned by said District Court, until he does comply.

SEC. 9. *Be it further enacted*, That the District Court shall have the same power, authority, and jurisdiction, over all suits, matters, and things, which may be depending and undetermined in any Circuit Court at the time this act takes effect, (the papers and records of which Court may be delivered to the Clerk of such District Court, which said Circuit Court would have

had in case this act had not passed, and said District Court shall have the same right, power, and jurisdiction to award execution, and other legal process in all decrees and judgments of such Circuit Court, as said Circuit Court would have had in case this act had never been passed.

SEC. 10. *Be it further enacted*, That whenever the Clerk of any District Court shall give a certified copy of any decree, judgment, record, or proceeding of any Circuit Court, the papers and records of which Court may have been delivered to him pursuant to the directions of this act, the same faith and credit shall be given to such certified copy, as to a certified copy of any record or proceeding in the District Court to which said Clerk may belong.

SEC. 11. *Be it further enacted*, That the Clerks of the District Courts shall perform the same duties, and be subject to the same rules, regulations and penalties that the Clerks of the Circuit Courts now perform and are subject to. And the Clerks of the District Courts shall have the same rate of compensation, fees, and emoluments, that the Clerks of the Circuit Courts are now entitled to for like services; and the Clerks of the District Courts shall have the same remedy for the collection of their fees, that the Clerks of the Circuit Courts now have.

SEC. 12. *Be it further enacted*, That all causes now depending in the Court of Appeals, or that may be depending in said Court at the time this act takes effect, remandable to any Circuit Court, shall be transmitted by the Court of Appeals to the District Court of the county in which such Circuit Court would have been held, in case this act had not been passed. And such District Court shall have the same power to proceed, as if such cause or proceeding had originated in such District Court.

SEC. 13. *Be it further enacted*, That appeals or writs of error shall lie, and may be prosecuted to the Court of Appeals, from any order, judgment, or decree, rendered by any District Court created by this act, in any case where appeals or writs of error are now allowed from the Circuit Courts. And all such appeals or writs of error shall be subject to the same rules, regulations, and restrictions, that now govern appeals and writs of error from the Circuit Courts to the Court of Appeals.

SEC. 14. *Be it further enacted*, That each District Judge may, in addition to the terms allowed by this act, to the counties respectively constituting his district, appoint and hold, in any and every of said counties, one or more additional terms, for the trial of chancery causes, and for the trial of any person or persons, apprehended upon a charge of felony or misdemeanor, and for the trial of all Commonwealth's pleas, or any action, or suit, or prosecution in which the Commonwealth is a party. And all process shall be as valid, returnable thereto, and all recognizances as good as if made returnable to the regular terms of said Court.

SEC. 15. *Be it further enacted*, That the District Judges appointed under this act, shall be conservators of the peace throughout this Commonwealth, and the Judge of one district may, at the request of a Judge of another district, hold any term or terms of the Court, in any county in said district, and all his official acts shall be as binding, and of the same validity as if done by the Judge appointed for said district.

SEC. 16. *Be it further enacted*, That a General Court shall be held by one or more of the District Judges appointed under this act, at the State House in the town of Frankfort, commencing on the first Monday in —, and the first Monday in —, in each and every year, and shall sit —

days at each term, if the business of said Court shall require it. And the said General Court, hereby established, shall have the same powers, rights and jurisdiction, which the General Court had previous to the passage of this act; and shall proceed to hear and determine all causes, matters, and things, depending in the General Court at the time this act takes effect; according to the rules and regulations by which the General Court has been heretofore governed, and which shall be hereafter established by law.

SEC. 17. Be it further enacted, That the Clerk of the General Court shall, after this act takes effect, on demand, or within ten days thereafter, deliver over to the Clerk of the General Court established by this act, all books, papers, records, and other appendages of his office, under the same penalty that is prescribed in this act in relation to Clerks of the Circuit Courts. And the Clerk of the said General Court shall be entitled to the same fees and emoluments, and have the same remedies that the Clerk of the General Court now has.

SEC. 18. Be it further enacted, That it shall be the duty of the Judge of the district, to attend and hold the General Court. But one or more of the other District Judges, appointed under this act, may, in conjunction with the said Judge of the district, or without him, attend and hold said General Court, at the times mentioned in this act.

SEC. 19. Be it further enacted, That each of the District Judges appointed under this act, shall be allowed the sum of fifteen hundred dollars annually, payable quarterly out of the Treasury of this Commonwealth. And each of the Commonwealth's Attorneys, appointed under this act, shall be allowed dollars, payable in like manner.

SEC. 20. Be it further enacted, That all laws or acts providing for the appointment of Commonwealth's Attorneys of the several Circuit Courts, be, and the same are hereby repealed, so soon as this act takes effect.

SEC. 21. Be it further enacted, That the following shall be the districts provided for in this act, and the time for holding the district courts in each county, constituting each district, and the time of each term, if the business of the Court shall require it:

FIRST DISTRICT.

The District Court shall commence in the county of Mason on the Monday in and , and continue eighteen juridical days at each term: In Lewis, on the Monday in and , and continue six juridical days: In Fleming, on the Monday in and , and continue eighteen juridical days: In Bracken, on the Monday in and , and continue twelve juridical days: In Greenup, on the Monday in and , and continue twelve juridical days: In Carter, on the Monday in and , and continue six juridical days: In Nicholas, on the Monday in and , and continue twelve juridical days: In Bath, on the Monday in and , and continue twelve juridical days.

SECOND DISTRICT.

The District Court shall commence in the county of Pendleton, on the Monday in and , and continue six juridical days: In Campbell, on the Monday in and , and continue twelve juridical days: In Kenton, on the Monday in and , and continue twelve juridical days: In Boone, on the Monday in and , and con-

tinue twelve juridical days: In Harrison, on the Monday in and , and continue twelve juridical days: In Grant, on the Monday in and , and continue twelve juridical days: In Gallatin, on the Monday in and , and continue six juridical days: In Henry, on the Monday in and , and continue twelve juridical days: In Carroll, on the Monday in and , and continue six juridical days: In Trimble, on the Monday in and , and continue six juridical days.

THIRD DISTRICT.

The District Court shall commence in the county of Fayette, on the Monday in and , and continue thirty juridical days: In Jessamine on the Monday in and , and continue twelve juridical days: In Bourbon, on the Monday in and , and continue twenty four juridical days: In Scott, on the Monday in and , and continue twelve juridical days: In Owen, on the Monday in and , and continue six juridical days.

FOURTH DISTRICT.

The District Court shall commence in the county of Franklin, on the Monday in and , and continue twelve juridical days: In Shelby, on the Monday in and , and continue twelve juridical days: In Woodford, on the Monday in and , and continue twelve juridical days: In Boyle, on the Monday in and , and continue twelve juridical days: In Mercer, on the Monday in and , and continue twelve juridical days: In Anderson, on the Monday in and , and continue twelve juridical days: In Spencer, on the Monday in and , and continue six juridical days.

FIFTH DISTRICT.

The District Court shall commence in the county of Jefferson, on the Monday in and , and continue juridical days: there shall also be held in Jefferson, two terms for the trial of persons charged with felony and misdemeanors; the same to commence on the Monday in , and the other on the Monday in , and each term to continue juridical days: In Bullitt, on the Monday in and , and continue twelve juridical days: In Oldham, on the Monday in and , and continue twelve juridical days.

SIXTH DISTRICT.

The District Court shall commence in the county of Nelson, on the Monday in and , and continue twelve juridical days: In Hardin, on the Monday in and , and continue twelve juridical days: In Meade, on the Monday in and , and continue twelve juridical days: In Larue, on the Monday in and , and continue six juridical days: In Marion, on the Monday in and , and continue twelve juridical days: In Washington, on the Monday in and , and continue twelve juridical days: In Hart, on the Monday in and , and continue six juridical days: In Grayson, on the Monday in and , and continue twelve juridical days: In Breckinridge, on the Monday in and , and continue twelve juridical days.

SEVENTH DISTRICT.

The District Court shall commence in the county of Muhlenburg, on the Monday in and , and continue six juridical days: In Butler, on the Monday in and , and continue six juridical days: In Ohio, on the Monday in and , and continue six juridical days: In Daviess, on the Monday in and , and continue six juridical days: In Hancock, on the Monday in and , and continue twelve juridical days: In Henderson, on the Monday in and , and continue six juridical days: In Hopkins, on the Monday in and , and continue six juridical days: In Union, on the Monday in and , and continue six juridical days: In Livingston, on the Monday in and , and continue six juridical days: In Crittenden, on the Monday in and , and continue six juridical days.

EIGHTH DISTRICT.

The District Court shall commence in the county of Caldwell, on the Monday in and , and continue six juridical days: In Marshall, on the Monday in and , and continue six juridical days: In Calloway, on the Monday in and , and continue twelve juridical days: In Graves, on the Monday in and , and continue six juridical days: In McCracken, on the Monday in and , and continue twelve juridical days: In Ballard, on the Monday in and , and continue six juridical days: In Hickman, on the Monday in and , and continue twelve juridical days: In Fulton, on the Monday in and , and continue six juridical days: In Trigg, on the Monday in and , and continue six juridical days.

NINTH DISTRICT.

The District Court shall commence in the county of Christian, on the Monday in and , and continue eighteen juridical days: In Todd, on the Monday in and , and continue twelve juridical days: In Logan, on the Monday in and , and continue twelve juridical days: In Simpson, on the Monday in and , and continue six juridical days: In Allen, on the Monday in and , and continue six juridical days: In Monroe, on the Monday in and , and continue six juridical days: In Warren, on the Monday in and , and continue twelve juridical days: In Edmonson, on the Monday in and , and continue six juridical days.

TENTH DISTRICT.

The District Court shall commence in the county of Barren, on the Monday in and , and continue twelve juridical days: In Green, on the Monday in and , and continue twelve juridical days: In Adair, on the Monday in and , and continue twelve juridical days: In Cumberland, on the Monday in and , and continue six juridical days: In Clinton, on the Monday in and , and continue six juridical days: In Wayne, on the Monday in and , and continue twelve juridical days: In Pulaski, on the Monday in and , and continue twelve juridical days: In Lincoln, on the Monday in and , and continue twelve juridical days: In Casey, on

the Monday in and , and continue six juridical days: In Russell, on the Monday in and , and continue six juridical days.

ELEVENTH DISTRICT.

The District Court shall commence in the county of Clarke, on the Monday in and , and continue twelve juridical days: In Madison, on the Monday in and , and continue twelve juridical days: In Garrard, on the Monday in and , and continue twelve juridical days: In Rockcastle, on the Monday in and , and continue six juridical days: In Laurel, on the Monday in and , and continue six juridical days: In Whitley, on the Monday in and , and continue six juridical days: In Knox, on the Monday in and , and continue six juridical days: In Harlan, on the Monday in and , and continue six juridical days: In Clay, on the Monday in and , and continue six juridical days.

TWELFTH DISTRICT.

The District Court shall commence in the county of Montgomery, on the Monday in and , and continue twelve juridical days: In Estill, on the Monday in and , and continue six juridical days: In Owsley, on the Monday in and , and continue three juridical days: In Breathitt, on the Thursday after the Monday in the months of and , and continue three juridical days: In Perry, on the Monday in and , and continue three juridical days: In Letcher, on the Thursday after the Monday in and , and continue three juridical days: In Pike, on the Monday in and , and continue six juridical days: In Floyd, on the Monday in and , and continue six juridical days: In Johnson, on the Monday in and , and continue six juridical days: In Lawrence, on the Monday in and , and continue six juridical days: In Morgan, on the Monday in and , and continue six juridical days.

SEC. 22. *Be it further enacted*, That this act shall take effect on the first day of July next, and continue in force six years thereafter.

Mr. Sterett moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thruston and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Friend,	Jones, D. E.
Messrs. Anthony,	Gale,	Jones, J.
Ballingal,	Garrard,	Kalsus,
Barnett,	Gore,	Lair,
Bowman,	Graves,	Lecompte,
Bradley,	Gray, R. B.	Marshall, T.
Brown,	Gray, W. M.	Mason,
Carter,	Haggard,	McRery,
Cessna,	Hambleton,	Moore,
Chesnut,	Hardy,	Nuckolls,
Clark, J.	Harrison,	Prewitt,

Cleaveland,	Haskin,	Root,
Copelin,	Hays,	Shawhan,
Corum,	Heady,	Stanley,
Cox, A. H.	Hendrix,	Sterett,
Crow,	Hobbs,	Sea,
Dallam,	Hopkins,	Thruston,
Desha,	Hughes,	Towles,
Dickey,	Humphreys,	Waddill,
Early,	Imboden,	Wheat—61.
Ford,		

Those who voted in the negative, were—

Messrs. Ballinger,	Glenn,	Shanklin,
Beard,	Groesbeck,	Speed,
Brasher,	Harris,	Stone,
Burnam,	Johnson,	Terrill,
Chambers,	Lawless,	Thornton,
Clark, W. J.	Leslie,	Todd, J. F.
Collins,	Marshall, W. C.	Todd, R. S.
Cox, L. B.	McHenry,	Triplett,
Dudley,	Porter,	Tully,
Eaker,	Runyon,	Whitaker,
Ewing,	Salter,	Wright—35.
Gano,	Shacklett,	

Mr. J. Clark, from the committee to whom was referred a bill to establish the county of ——, reported the same with an amendment, which was concurred in.

The said bill, as amended, reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That from and after the first day of March next, all that part of Caldwell county, lying and being within the following bounds, viz: Beginning where the old road from Eddyville to Hopkinsville crosses the Trigg county line, and running from thence a straight line to the house of John Boyd, on the Turnpike road leading from Princeton to Eddyville, including the house of said Boyd in the new county; thence a straight line to Livingston creek, at old Centreville, where the main road from Princeton to Salem crosses said creek; thence with said creek to Cumberland river; thence crossing said river, and running with the Livingston county line, to the Tennessee river; thence with said river to the Trigg county line; and thence with said line, to the beginning, shall form and constitute a new county, to be called the county of Metcalfe.

SEC. 2. That the Governor of this Commonwealth shall appoint a Sheriff and nine Justices of the Peace, for said new county; and it shall be the duty of the said Justices to meet at the Court House in the town of Eddyville, on or before the first Monday in March next, and after having taken the necessary oath of office, and qualified the Sheriff, shall proceed to appoint a Clerk of the County Court of Metcalfe, to whose permanent appointment a majority of all the Justices in commission in and for said county, shall concur; but if such majority cannot be had in favor of any one person, then the

County Court of said county may appoint a Clerk, *pro tem.*, until a majority of said Court shall concur in an appointment of Clerk.

SEC. 3. That the county of Metcalfe shall be entitled to three Constables, and no more, and the County Court of said county shall, as soon as the foregoing provisions of this act are complied with, lay off the same into three Constable's districts, and in the appointment of Constables and other county officers, shall be governed by the general laws in force upon those subjects.

SEC. 4. That the County Court of Metcalfe shall appoint Commissioners of Tax, for the year eighteen hundred and forty five, who shall be governed by the laws regulating Commissioners of Tax in this Commonwealth.

SEC. 5. That the Surveyor of Trigg county shall be, and he is hereby appointed Commissioner, with such assistants as he may deem necessary, to run and mark the division line specified in the first section of this bill; and said Commissssoner shall be allowed the sum of two dollars per day, while engag-ed in running and marking the said line, and one dollar per day shall be paid to each assistant, payable out of the county levy of said county of Metcalfe; and the County Court shall, in making their levy, provide for such payment; and it shall be also the duty of the said Court to notify said Commissioner of the appointment herein made.

SEC. 6. That the town of Eddyville shall be the Seat of Justice for the county of Metcalfe.

SEC. 7. That all laws regulating elections in the counties of this Com-monwealth, shall apply to the county of Metcalfe.

SEC. 8. That the county of Metcalfe shall belong to the 7th Judicial Dis-trict, and the Circuit Courts for said county shall be held on the third Mon-day in February, and the first Monday in August of each year, and shall continue six juridical days each term, if the business of the Court shall re-quire it; and the County Courts shall be held on the first Monday of each and every month.

Mr. W. C. Marshall moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. C. Marshall and Dallam, were as follows, viz:

Those who voted in the affirmative, were--

Messrs. Anthony,	Gore,	McHenry,
Ballinger,	Hambleton,	Nuckolls,
Barnett,	Hardy,	Prewitt,
Beard,	Harris,	Root,
Bowman,	Harrison,	Runyon,
Brown,	Hays,	Shacklett,
Burnam,	Hobbs,	Shanklin,
Carter,	Hopkins,	Stanley,
Chambers,	Hughes,	Terrill,
Chesnut,	Humphreys,	Thruston,
Collins,	Imboden,	Todd, J. F.
Cox, L. B.	Johnson,	Todd, R. S.
Crow,	Jones, D. E.	Triplett,
Dallam,	Jones, J.	Tully,
Dickey,	Lair,	Waddill,

Eaker,	Lawless,	Wheat,
Early,	Leslie,	Whitaker,
Ewing,	Marshall, W. C.	Wright—56.
Ford,	Marshall, T	

Those who voted in the negative, were—

Messrs. Ballingal,	Gale,	Kalsus,
Bradley,	Garrard,	Mason,
Brasher,	Glenn,	McRery,
Cessna,	Graves,	Moore,
Clark, J.	Gray, R. B.	Shawhan,
Cleaveland,	Gray, W. M.	Speed,
Copelin,	Haggard,	Sterett,
Cox, A. H.	Haskin,	Stone,
Dudley,	Heady,	Sea,
Friend,	Hendrix,	Towles—30.

A message was received from the Governor, by Mr. Hardin, Secretary of State, which is as follows, viz:

Gentlemen of the House of Representatives:

In compliance with the request of the Legislature of Indiana, I herewith transmit a copy of joint resolutions of the Legislature of that State, on the subject of repudiating State debts.

WM. OWSLEY.

February 1, 1845.

STATE OF INDIANA.

A joint resolution on the subject of repudiating State debts.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana,* That we regard the slightest breach of plighted faith, public or private, as an evidence of the want of that moral principle upon which all obligations depend; that when any State in this Union shall refuse to recognise her great Seal, as the sufficient evidence of her obligation, she will have forfeited her station in the sisterhood of States, and will no longer be worthy of their confidence or respect.

SEC. 2. *Be it further resolved,* That his Excellency the Governor, be requested to transmit copies of this joint resolution to the Governor of each of the several States, with a request that he will cause the same to be laid before the Legislature thereof.

A. C. STEVENSON,
Speaker of the House of Representatives.
JESSE D. BRIGHT,
President of the Senate.

APPROVED JANUARY 13th, 1845:

JAS. WHITCOMB.

At 2 o'clock, P. M., Mr. Mason moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dallam and Kalfus, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Cox, L. B.	Marshall, W. C.
Messrs. Ballingal,	Crow,	Mason,
Beard,	Eaker,	Moore,
Brasher,	Ford,	Nuckolls,
Brown,	Garrard,	Runyon,
Cessna,	Gray, R. B.	Stanley,
Cleaveland,	Hughes,	Sterett,
Collins,	Johnson,	Towles,
Copelin,	Jones, J.	Triplett—27.

Those who voted in the negative, were—

Messrs. Anthony,	Glenn,	Lawless,
Ballinger,	Gore,	Leslie,
Barnett,	Graves,	Marshall, T.
Bowman,	Gray, W. M.	McHenry,
Bradley,	Haggard,	McRery,
Burnam,	Hambleton,	Prewitt,
Carter,	Hardy,	Root,
Chambers,	Harris,	Shacklett,
Chesnut,	Harrison,	Shawhan,
Clark, J.	Hays,	Speed,
Clark, W. J.	Heady,	Stone,
Cox, A. H.	Hendrix,	Sea,
Dallam,	Hobbs,	Terrill,
Desha,	Hopkins,	Thruston.
Dickey,	Humphreys,	Todd, J. F.
Dudley,	Imboden,	Tully,
Early,	Jones, D. E.	Wheat,
Ewing,	Kalfus,	Whitaker,
Friend,	Lair,	Wright—58.
Gale,		

The amendments proposed by the Senate, to a bill from this House, entitled, an act to amend an act, entitled, an act to amend the law concerning slaves, and for other purposes, approved January 28, 1830, were taken up, twice read, and concurred in.

Resolved, That this House recede from their amendment to a bill from the Senate, entitled, an act to regulate the terms of the Spencer Circuit Court.

The amendments proposed by the Senate, to the amendments of this House, to bills from the Senate, of the following titles, viz:

An act to allow an additional Justice of the Peace to Carter county.

An act to change the time of holding the Larue County Court.

Were taken up, twice read, and concurred in.

A bill from the Senate, entitled, an act concerning the Northern Bank of Kentucky, was read a third time, as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the 19th section of the act, entitled, "an act

to amend the charters of the Banks of Kentucky, approved March 8, 1843," as reduces the number of Directors of the Northern Bank of Kentucky to eight, and provides that two of the Directors aforesaid, elected by the Stockholders, shall go out every year, be, and the same is hereby repealed.

SEC. 2. That the number of Directors of the Northern Bank of Kentucky shall hereafter consist of nine Directors, five to constitute a quorum, seven of whom shall be chosen by the Stockholders and two shall be appointed by the State, as heretofore; and the President shall be chosen out of the said number of nine, as heretofore.

Mr. T. Marshall moved to commit said bill to the committee on Banks.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. T. Marshall and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Gale,	Jones, J.
Ballingal,	Garrard,	Marshall, T.
Brasher,	Glenn,	Mason,
Burnam,	Graves,	McHenry,
Cessna,	Gray, R. B.	McRery,
Chesnut,	Gray, W. M.	Moore,
Clark, W. J.	Haggard,	Nuckolls,
Cleaveland,	Hardy,	Porter,
Copelin,	Haskin,	Root,
Corum,	Heady,	Shawhan,
Desha,	Hendrix,	Towles,
Dickey,	Hobbs,	Tully,
Dudley,	Humphreys,	Wheat,
Early,	Imboden,	Wright—43.
Friend,		

Those who voted in the negative, were—

Mr. Speaker,	Dallam,	Lawless,
Messrs. Ballinger,	Eaker,	Leslie,
Barnett,	Ford,	Marshall, W. C.
Beard,	Gore,	Prewitt,
Bowman,	Hambleton,	Runyon,
Bradley,	Harris,	Shacklett,
Brown,	Harrison,	Shanklin,
Carter,	Hays,	Speed,
Chambers,	Hopkins,	Stone,
Collins,	Johnson,	Terrill,
Cox, A. H.	Jones, D. E.	Thruston,
Cox, L. B.	Kalfus,	Triplett,
Crow,	Lair,	Whitaker—39.

Mr. McHenry moved the following instructions to said committee, viz:

To report the bill, with the clause stricken out, which repeals so much of the charter as provides that two of the Directors go out every year.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. T. Marshall and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Friend,	McHenry,
Ballingal,	Gale,	McRery.
Barnett,	Garrard,	Moore,
Bradley,	Glenn,	Nuckolls,
Brasher,	Graves,	Porter,
Burnam,	Gray, R. B.	Prewitt,
Carter,	Gray, W. M.	Root,
Cessna,	Hardy,	Runyon,
Clark, J.	Haskin,	Shacklett,
Clark, W. J.	Heady,	Shanklin,
Cleaveland,	Hendrix,	Shawhan,
Copelin,	Hobbs,	Speed,
Desha,	Humphreys,	Terrill,
Dickey,	Imboden,	Towles,
Dudley,	Jones, J.	Tully,
Eaker,	Leslie,	Wheat,
Early,	Marshall, T.	Wright—53.
Ford,	Mason,	

Those who voted in the negative, were—

Mr. Speaker,	Dallam,	Jones, D. E.
Messrs. Ballinger,	Ewing,	Kalfus,
Beard,	Gore,	Lair,
Bowman,	Haggard,	Lawless,
Brown,	Hambleton,	Marshall, W. C.
Chambers,	Harris,	Stone,
Collins,	Harrison,	Thruston,
Cox, A. H.	Hays,	Triplett,
Cox, L. B.	Hopkins,	Whitaker—28.
Crow,		

Bills from the Senate of the following titles, viz:

1. An act allowing an additional Constable to the county of Oldham, and for other purposes.
2. An act to authorize the County Court of Campbell to appoint a Collector of the county levy for 1843.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were then amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the title of the first be as aforesaid, and the second be amended by adding, "and for other purposes."

Bills from the Senate of the following titles, viz:

1. An act giving the Mayor of the City of Covington concurrent jurisdiction with Circuit Judges, in cases of Idiots and Lunatics.

2. An act to change the county line of Washington and Marion county. Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee for Courts of Justice, and the 2d was ordered to be read a third time.

And then the House adjourned.

MONDAY, FEBRUARY 3, 1845.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to amend the road law of Campbell county, and for other purposes.

An act to amend an act, approved March 2, 1844, entitled, an act to regulate the management of the Wilderness road, and for other purposes.

That they had passed bills of the following titles, viz:

An act authorizing David Goyer and James M. Webb to erect a dam across Nolin creek.

An act to amend the charter of the Winchester and Lexington Turnpike Road Company.

An act for the benefit of Samuel Hutchason.

And had adopted a resolution providing for a final settlement of the concerns of the Old Bank of Kentucky.

1. Mr. Anthony presented the remonstrance of Wm. F. Evans and others, against the change of the time of the sitting of the Allen Circuit Court.

2. Mr. Chambers presented the petition of Plina Hinton, praying to be divorced from her husband, Ilay Hinton.

3. Mr. Graves presented the petition of S. B. Robertson, praying that provision be made for the payment of the fund due a certain school district in Marion county.

Which were received, the reading thereof dispensed with, and referred

—the 1st to the committee for Courts of Justice; the 2d to the committee on Religion, and the 3d to the committee on Education.

Mr. Wright asked leave to bring in a bill for the benefit of the Nolin Bridge Company, in Hardin county, which was granted.

Ordered, That the committee on Internal Improvement prepare and bring in the same.

Mr. J. Clark asked leave to withdraw the petition of sundry citizens of Caldwell county, praying for a division of said county, which was granted, and the petition was withdrawn.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act to continue the place of voting at the house of Benjamin E. Garnett, in the town of Landing.

An act for the benefit of John Allen.

An act to change the place of voting in the Piner precinct, in Kenton county, and for other purposes.

An act permitting A. Rawlings to erect a mill dam across Licking river.

An act authorizing J. Asberry to build a dam across Main Licking river, and for other purposes.

An act to establish the Cane Spring precinct, in Madison county, and for other purposes.

An act to amend an act, entitled, an act to release to Ohio county the interest of the State in the Hartford Bridge Company.

An act concerning the town of Versailles.

An act for the benefit of Stephen Atherton.

An act for the benefit of Fanny Beal and Susannah McGary.

An act divorcing Charles S. Graham.

An act for the benefit of the widow and heirs of Morris Tudor, deceased.

An act to incorporate the Trustees of the Sharon Presbyterian Church, in Bracken county.

An authorizing the County Court of Daviess to lease a portion of the public square in the town of Owensesboro'.

An act granting a change of venue to Henry Huffman.

Approved February 1, 1845.

A bill from the Senate, entitled, an act for the benefit of Samuel May, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Hobbs,

Ordered, That the bill to amend the militia laws and to increase the school fund in certain counties, be taken from the orders of the day and referred to Messrs. Hobbs, Chambers and Desha, with instructions to report the same to this House, to-morrow, at 12 o'clock.

Mr. J. F. Todd, from the committee on Internal Improvement, reported a bill authorizing the County Courts of Logan, Todd, &c., to receive relinquishments of stock in the Logan, Todd and Christian Turnpike, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on Internal Improvement, with the following instructions, viz:

To report it, so amended, as so relinquish the management of the road to the County Court without injury to the rights of the State and Stockholders, to be resumed at any time the State may, by law, restore it to its present position, and that they report said bill to-morrow, at 11 o'clock, A. M.

Mr. J. F. Todd, from the same committee, reported a bill to establish a State road from Canton, in Trigg county, to Mills' Point, in Fulton county, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Eaker and Nuckles, were as follows, viz:

Those voted in the affirmative, were—

Mr. Speaker,	Gore,	McHenry,
Messrs. Ballingal,	Graves,	McRery.
Ballinger,	Gray, R. B.	Moore,
Beard,	Gray, W. M.	Nuckolls,
Bowman,	Grigsby,	Porter,
Brasher,	Groesbeck,	Prewitt,
Brown,	Haggard,	Root,
Carter,	Hambleton,	Runyon,
Chesnut,	Haskin,	Salter,
Clark, J.	Hays,	Shacklett,
Clark, W. J.	Heady,	Shanklin,
Cleaveland,	Hobbs,	Shawhan,
Corum,	Hopkins,	Speed,
Cox, A. H.	Humphreys,	Stone,
Cox, L. B.	Imboden,	Thruston,
Crow,	Jones, D. E.	Todd, J. F.
Desha,	Jones, J.	Todd, R. S.

Dickey,	Kalfus,	Towles,
Dudley,	Lair,	Triplett,
Early,	Lawless,	Tully,
Ford,	Lecompte,	Waddill,
Friend,	Leslie,	Wheat,
Gale,	Marshall, T.	Whitaker,
Garrard,	Mason,	Wright—73.
Glenn,		

Those who voted in the negative, were—

Messrs. Anthony,	Eaker,	Hughes,
Barnett,	Ewing,	Johnson,
Bradley,	Hardy,	Marshall, W. C.
Cessna,	Harris,	Stanley,
Copelin,	Harrison,	Sterett—17.
Dallam,	Hendrix,	

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Eaker and J. Clark, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Friend,	Lecompte,
Messrs. Ballingal,	Gale,	Leslie,
Ballinger,	Gano,	Marshall, T.
Beard,	Garrard,	Mason,
Bowman,	Glenn,	McHenry,
Brasher,	Gore,	McRery,
Brown,	Graves,	Moore,
Burnam,	Gray, R. B.	Nuckolls,
Carter,	Gray, W. M.	Porter,
Cessna,	Haggard,	Prewitt,
Chambers,	Hambleton,	Root,
Chesnut,	Hardy,	Runyon,
Clark, J.	Harris,	Salter,
Clark, W. J.	Harrison,	Shacklett,
Cleaveland,	Hays,	Shanklin,
Collins,	Heady,	Shawhan,
Copelin,	Hendrix,	Stone,
Corum,	Hobbs,	Sea,
Cox, A. H.	Hopkins,	Thruston,
Cox, L. B.	Hughes,	Todd, J. F.
Crow,	Humphreys,	Todd, R. S.
Dallam,	Imboden,	Towles,
Desha,	Johnson,	Triplett,
Dickey,	Jones, D. E.	Tully,
Dudley,	Jones, J.	Waddill,
Early,	Kalfus,	Wheat,
Ewing,	Lair,	Whitaker,
Ford,	Lawless,	Wright—84.

Those who voted in the negative, were—

Messrs. Anthony, Barnett,	Bradley, Eaker,	Stanley, Sterett—6.
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Resolved, That the title thereof be as aforesaid.

Mr. Haskin, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act to amend the several acts concerning the Newport Seminary or Academy, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title be amended by adding, “and for other purposes.”

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—A bill to declare Station Camp creek navigable, and for other purposes.

By same—A bill to repeal an act declaring Stinking creek, in Knox county, a navigable stream.

By the committee on Education—A bill to incorporate the Greensburg Philalethic Society.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills, having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hobbs, from the committee on the Penitentiary, reported a bill concerning the Penitentiary, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

Ordered, That said bill be made the special order of the day for to-morrow, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

Mr. Haskin, from the committee on Education, reported a bill to amend the charter of the Funk Seminary, in Oldham county, which was read the first time, and ordered to be read the second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

The question was then put on engrossing and reading said bill a third time.

And after some discussion had thereon the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

An engrossed bill, entitled, an act to repair Lock and Dam No. 1, on Barren river, was read a third time.

Mr. Cleaveland moved to amend said bill by adding thereto the following engrossed clause, by way of ryder, viz:

Be it further enacted, That the further sum of ten thousand dollars be, and the same is hereby appropriated to the completion of Lock and Dam No. 2, on Licking river.

Mr. Garrard moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the engrossed ryder, proposed by Mr. Cleaveland, be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Cleaveland, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Corum,	Marshall, W. C.
Carter,	Desha,	Root,
Cleaveland,	Friend,	Shawhan—9.

Those who voted in the negative, were—

Mr. Speaker,	Garrard,	Leslie,
Messrs. Anthony,	Glenn,	Marshall, T.
Ballinger,	Gore,	Mason,
Barnett,	Graves,	McHenry,
Beard,	Gray, R. B.	McRery,
Bowman,	Gray, W. M.	Nuckolls,
Bradley,	Grigsby,	Porter,
Brasher,	Haggard,	Prewitt,
Brown,	Hambleton,	Runyon,
Burnam,	Hardy,	Salter,
Cessna,	Harris,	Shacklett,
Chambers,	Harrison,	Shanklin,
Chesnut,	Haskin,	Speed,
Clark, J.	Hays,	Stanley,
Clark, W. J.	Heady,	Sterett,
Collins,	Hendrix,	Stone,
Copelin,	Hobbs,	Terrill,
Cox, A. H.	Hopkins,	Thruston,
Cox, L. B.	Hughes,	Todd, J. F.
Crow,	Humphreys,	Todd, R. S.
Dickey,	Imboden,	Towles,
Dudley,	Johnson,	Triplett,
Eaker,	Jones, D. E.	Tully,

Early,	Jones, J.	Waddill,
Ewing,	Kalfus,	Wheat,
Ford,	Lair,	Whitaker,
Gale,	Lawless,	Wright—83.
Gano,	Lecompte,	

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Stone, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gano,	McRery,
Messrs. Anthony,	Garrard,	Porter,
Ballinger,	Glenn,	Runyon,
Burnam,	Gore,	Salter,
Cessna,	Grigsby,	Shanklin,
Chambers,	Hardy,	Speed,
Chesnut,	Harrison,	Stanley,
Clark, W. J	Hobbs,	Terrill,
Collins,	Hopkins,	Thruston.
Copelin,	Johnson,	Todd, J. F.
Cox, A. H.	Jones, D. E.	Todd, R. S.
Cox, L. B.	Kalfus,	Tully,
Crow,	Lawless,	Waddill,
Dickey,	Leslie,	Whitaker,
Ewing,	Marshall, W. C.	Wright—47.
Ford,	McHenry,	

Those who voted in the negative, were—

Messrs. Ballingal,	Friend,	Lair,
Barnett,	Gale,	Lecompte,
Beard,	Graves,	Marshall, T.
Bowman,	Gray, R. B.	Mason,
Bradley,	Gray, W. M.	Nuckolls,
Brasher,	Haggard,	Prewitt,
Brown,	Hambleton,	Root,
Carter,	Haskin,	Shacklett,
Clark, J.	Hays,	Shawhan,
Cleaveland,	Heady,	Sterett,
Corum,	Hendrix,	Stone,
Desha,	Hughes,	Towles,
Dudley,	Humphreys,	Triplett,
Eaker,	Imboden,	Wheat—44.
Early,	Jones, J.	

Resolved, That the title thereof be as aforesaid.

The Speaker laid before the House a supplemental report of the Superintendent of Public Instruction, which is as follows, viz:

To the honorable Senate and House of Representatives of Kentucky:

The Superintendent of Public Instruction would respectfully submit this, his Supplemental Report:

In looking over the accounts of the Board of Education, he finds an error in his report for the year 1844. He was led into said error from the manner in which Mr. Brush, his predecessor, stated his accounts, in the Annual Report of 1843. (See said report.) He, Brush, states that "there are due from the Commissioners of the Sinking Fund, and unpaid, with the exception of \$2,504 40, five instalments of interest," &c. He then proceeds, in a subsequent clause of his report, as follows: "Since the last Annual Report of the Superintendent of Public Instruction, there have been received from the Commissioners of the Sinking Fund, \$504 40," &c. The present Superintendent, supposing that the last mentioned sum, \$504 40, was not included in the first, or \$2,504 40, reported \$3,008 80, as having been received from the Commissioners of the Sinking Fund. Whereas, in fact, only \$2,504 40 had been actually received. The Superintendent would respectfully request that this error might be corrected, so that his accounts may be correctly balanced.

R. T. DILLARD,

Superintendent of Public Instruction.

February 3, 1845.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

A message was received from the Senate, by Mr. Field, announcing that they had passed a bill, entitled, an act to amend an act, entitled, an act to amend the charter of the Louisville and Portland Canal Company, approved February 22, 1844.

The said bill was then read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hobbs moved to dispense with the rules to enable him to propose the following resolution, viz:

Resolved, That the Speaker of this House shall, on this day, and on each succeeding day of the session, at half after one o'clock, P. M., announce a recess of one hour and a half, and that the House shall meet at three o'clock P. M., and hold evening sessions until the final adjournment of the present General Assembly.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hobbs and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,
Ballingal,
Ballinger,

Gore,
Graves,
Gray, R. B.

Marshall, W. C.
Marshall, T.
Mason,

Bowman,	Haggard,	Porter,
Brasher,	Hambleton,	Prewitt,
Brown,	Hardy,	Root,
Burnam,	Harris,	Runyon,
Carter,	Harrison,	Salter,
Cessna,	Haskin,	Shacklett,
Chambers,	Hays,	Speed,
Chesnut,	Heady,	Stone,
Clark, W. J.	Hobbs,	Terrill,
Collins,	Hopkins,	Thruston,
Cox, A. H.	Hughes,	Todd, J. F.
Crow,	Humphreys,	Todd, R. S.
Dallam,	Imboden,	Towles,
Dickey,	Jones, D. E.	Triplett,
Dudley,	Kalfus,	Tully,
Eaker,	Lair,	Wheat,
Ford,	Lawless,	Wright—61.
Gano,		

Those who voted in the negative, were—

Mr. Speaker,	Desha,	Hendrix,
Messrs. Barnett,	Early,	Jones, J.
Bradley,	Friend,	McHenry,
Clark, J.	Gale,	Shanklin,
Cleaveland,	Garrard,	Shawhan—17.
Copelin,	Gray, W. M.	

Mr. Mason moved to amend said resolution by making it the duty of the Speaker to announce a recess at 2 o'clock, P. M., and meet again at 3 o'clock, P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Cleaveland, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Dudley,	Lair,
Ballinal,	Eaker,	Leslie,
Barnett,	Friend,	Marshall, T.
Beard,	Gale,	Mason,
Bradley,	Graves,	Porter,
Brown,	Gray, R. B.	Prewitt,
Cessna,	Haggard,	Salter,
Clark, J.	Hardy,	Shawhan,
Cleaveland,	Harris,	Sterett,
Copelin,	Heady,	Stone,
Cox, A. H.	Hughes,	Todd, J. F.
Desha,	Humphreys,	Towles,
Dickey,	Imboden,	Wheat—39.

Those who voted in the negative, were—

Mr. Speaker,	Garrard,	Marshall, W. C.
Messrs. Ballinger,	Glenn,	McHenry,
Bowman,	Gore,	McRery.
Brasher,	Gray, W. M.	Runyon,
Burnam,	Grigsby,	Shacklett,
Carter,	Hambleton,	Shanklin,
Chambers,	Harrison,	Speed,
Chesnut,	Haskin,	Stanley,
Clark, W. J.	Hays,	Sea,
Collins,	Hendrix,	Terrill,
Cox, L. B.	Hobbs,	Thruston,
Crow,	Hopkins,	Todd, R. S.
Dallam,	Jones, D. E.	Triplett,
Early,	Jones, J.	Tully,
Ford,	Kalfus,	Whitaker,
Gano,	Lawless,	Wright—48.

The said resolution was then adopted.

And then the House adjourned.

TUESDAY, FEBRUARY 4, 1845.

A message was received from the Senate announcing that they insist on their amendment to a bill from this House, entitled, an act to allow an additional Justice of the Peace to Barren county, and for other purposes.

That they had concurred in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to change the times of holding the Muhlenburg and Boyle Circuit Courts.

An act to authorize the Surveyor's books of Henderson county to be transcribed.

With amendments to the amendments to each.

That they had concurred in the first and third, and disagreed to the second amendment proposed by this House, to a bill from the Senate, entitled, an act to legalize the proceedings of the 115th Regiment of Kentucky Militia.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of John Reynolds.

An act for the benfit of John W. Whitaker, Collector of fines in the 21st Regiment of Kentucky Militia.

An act to amend an act, entitled, an act to incorporate the town of Smithland, and for other purposes, approved March 8, 1843.

An act providing a change of venue to Tarlton Boren.

An act for the benefit of Daniel Lyle, deceased.

An act to amend the laws upon the subject of pedlers.

An act for the benefit of the Sheriff of Nicholas county.

An act for the benefit of the Woodford Guards Riflemen.

An act for the benefit of the Sheriffs of Marshall, Calloway, Larue and Union counties.

An act for the benefit of the Danville Artillery.

An act to amend an act, entitled, an act to incorporate the town of Lancaster, approved February 23, 1837, and for other purposes.

With amendments to the six last named bills.

That they had passed bills of the following titles, viz:

An act to amend the charter of the Glasgow and Scottsville Turnpike Road.

An act declaring Russell's creek, in Green county, a navigable stream, and for other purposes.

An act for the benefit of Daniel Bringle and others.

An act to regulate the inspection of salt.

An act to change the time of holding the Green, Hart and Meade Circuit Courts.

An act to amend an act, entitled, an act to provide for a change of venue in the prosecution against James B. Spratts, approved March 2, 1844.

An act for the benefit of Johnson Hailey and Randolph Hailey.

An act to amend the charter of the City of Lexington.

An act for the benefit of Nancy Adams, a lunatic.

An act for the benefit of Sarah E. Snead, an infant, of the City of Louisville.

An act for the benefit of William Haydon, an Idiot.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to authorize the County Court of Kenton county to change, at certain points, the location of the State road leading from Independence to Covington.

An act for the benefit of certain school districts in the counties of Fayette, Adair and Wayne.

An act to provide for taking the sense of the people of Mason county relative to the Seat of Justice of said county.

An act for the benefit of Fayette Posey, of the county of Henderson.

Approved February 1, 1845.

1. Mr. W. C. Marshall presented the petition of sundry citizens of Bracken county, praying a change in the hands allotted to work on certain roads in said county.

2. Mr. Ballinger presented the petition of James Tinsley, praying that compensation be allowed him for damages sustained in consequence of the location of a Turnpike road through his lands.

3. Mr. Leslie presented the petition of Amon C. Hale, praying a change of venue in the prosecution against him now pending in the Clinton Circuit Court, for perjury.

4. Mr. Gano presented the petition of Lucy and Henrietta Powell, free persons of color, praying that they be permitted to come to and reside in this State.

Which were received, the reading thereof dispensed with, and referred —the 1st to the committee on Propositions and Grievances; the 2d to the committee on Claims; the 3d to the committee for Courts of Justice, and the 4th to Messrs Gano, Chambers, Shanklin and Ewing.

A bill from the Senate, entitled, an act concerning the town of Augusta, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That Messrs Hardy, Lawless and McHenry be appointed a committee on the part of this House, to meet a similar committee on the part of the Senate, on the disagreement between the two Houses, on the amendment proposed by the Senate, to a bill from this House, entitled, an act to allow an additional Justice of the Peace to Barren county, and for other purposes.

The House again resumed the consideration of the bill to amend the character of the Funk Seminary, in Oldham county.

The said bill reads as follows, viz:

WHEREAS, It is represented to the present General Assembly, that the present Trustees of the "Funk Seminary," and a committee upon the part of the "Grand Lodge of Kentucky," have entered into an agreement by which the former have transferred to the latter the control of said Seminary; which agreement has been duly entered of record in the Clerk's office of the Oldham County Court, by which, among other things, it is agreed that the number of Trustees be reduced to nine, who are to be chosen annually by the Grand Lodge of Kentucky.

Be it therefore enacted by the General Assembly of the Commonwealth of Kentucky, That the present Trustees of said Seminary be continued in office until the 1st Thursday after the last Monday in August next, on which day, annually, it may be lawful for the Grand Lodge of Kentucky, upon ballot, to elect nine Trustees for said Seminary, who shall be governed by all the laws now in force in relation to said Seminary.

Be it further enacted, That the 13th section of "an act to incorporate the Funk Seminary," and all acts and parts of acts, coming within the purview of this act, be, and the same are hereby repealed.

Be it further enacted, That the Trustees of the Lagrange Seminary, be, and they are hereby authorized, to transfer and convey to the Grand Lodge of Kentucky, the building and lot situated in the town of Lagrange, known as the Lagrange Seminary, upon the said Grand Lodge paying the incumbrances now on said property.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. McHenry and J. Clark, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beard,	Gale,	Salter,
Brasher,	Gano,	Shanklin,
Brown,	Gray, R. B.	Stanley,
Burnam,	Grigsby,	Sterett,
Chambers,	Haskin,	Stone,
Chesnut,	Hays,	Sea,
Cleaveland,	Hopkins,	Terrill,
Collins,	Hughes,	Thruston,
Corum,	Johnson,	Todd, R. S.
Cox, L. B.	Lair,	Towles,
Dallam,	Lecompte,	Triplett,
Desha,	Root,	Waddill,
Dudley,	Runyon,	Wheat,
Early,	Russell,	Whitaker—42.

Those who voted in the negative, were—

Messrs. Anthony,	Garrard,	Kalfus,
Ballingal,	Glenn,	Lawless,
Ballinger,	Gore,	Leslie,
Barnett,	Graves,	Mason,
Bowman,	Gray, W. M.	McHenry,
Bradley,	Haggard,	McRery,
Carter,	Hambleton,	Moore,
Clark, J.	Hardy,	Nuckolls,
Clark, W. J.	Harris,	Osburn,
Copelin,	Heady,	Porter,
Cox, A. H.	Hendrix,	Prewitt,
Crow,	Hobbs,	Shacklett,
Dickey,	Humphreys,	Shawhan,

Eaker,	Imboden,	Speed,
Ewing,	Jones, D. E.	Tully,
Ford,	Jones, J.	Wright--49.
Friend,		

Mr. Hobbs, from the committee on the Penitentiary, to whom was referred the petition of S. Goins and others, asked to be discharged from the further consideration thereof, and that it be referred to the committee on Claims, which was granted.

Mr. Hobbs, from the same committee, reported a bill for the benefit of M. R. Stealey, which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so said bill was rejected.

Mr. Ford, from the committee on Agriculture and Manufactures, to whom was referred a bill to amend the revenue laws, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so said bill was rejected.

Mr. Ford, from the same committee, to whom was referred the resolution directing the Librarian to purchase twelve copies of A. Beatty's Essays on Agriculture, reported the same without amendment.

The said resolution was then adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. R. B. Gray—A bill for the benefit of George Mulliken.

By the committee for Courts of Justice—A bill to establish the town of Rowena, on the land of John Leveridge, in Russell county, and for other purposes.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Ford, from the committee on Agriculture and Manufactures, reported a bill to amend the laws with regard to the inspection of salt, which was read the first time.

The question was then put on reading said bill a second time.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House then took up for consideration the bill to regulate the tolls on the Kentucky river.

The said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky,
That from and after the first day of March next, the Board of Internal Improvement, or other authority for regulating the tolls on the Kentucky River Navigation, shall so regulate said tolls, that not less than the following rates shall be charged and collected on the persons, freight, and boats, carried on and navigating said river, through the public locks thereon, viz:

On each one thousand pounds of freight, other than articles hereafter specifically named, either ascending or descending, per lock, ten cents; each Cabin Passenger, per lock, fifteen cents; each Servant, Child, or Decker, per lock, seven and a half cents; each Horse, Mule, Jack, or head of Cattle, per lock, ten cents; each head of Sheep or Hogs, alive, per lock, one cent; each hogshead of Tobacco, per lock, ten cents; each barrel of Beef, Pork, or Lard, per lock, two cents; each barrel of Flour, Apples, Potatoes, Clover Seed, or other dry barrels, per lock, one and a half cents; each barrel of Whiskey, Wine, Brandy, Rum, Gin, or other spirituous liquors, per lock, five cents; each barrel of Ale, Beer, Porter, Vinegar, or Cider, per lock, two and a half cents; each barrel of Salt, or Salt Fish, per lock, two and a half cents; Bacon in bulk, or Pork per one thousand pounds, per lock, five cents; Lard in kegs, per lock, one half cent; all Dry Goods, Hardware, Cutlery, Glassware, Groceries, Shoes, Boots, Drugs, Medicines, Paints, Dye-stuffs, Crockery, and China Ware, per one thousand pounds, per lock, twelve and a half cents; Cabinet Furniture, Farming Utensils, Wagons, Carts, Ploughs, Household Furniture of all kinds, six per cent. upon the amount charged for carriage on the same ascending, and four per cent. when descending, per lock; Rafts of Timber, sixteen feet and under in width, per lineal foot, per lock, two cents; Rafts of Timber over sixteen feet, and under twenty, per lock, three cents; Rafts of Timber, twenty feet and over, per lock, four cents; for Plank carried on boats, per one thousand feet, board measure, per lock, twelve and a half cents; for each thousand Shingles, per lock, three cents; for each thousand Laths, per lock, two cents; each Steamboat less than sixty tons burthen, including the boat stores and fuel carried for the use of the boat, per lock, one dollar; for each boat over sixty tons burthen, per lock, one dollar and twenty five cents; on each Flatboat or Keelboat descending, loaded wholly or partially within the influence of slackwater, per lineal foot, per lock, five cents; on same, when loaded with Coal, Lumber, Hoop-poles, Staves, Heading, empty Barrels or Kegs, Hay or Corn, per lock, three cents.

Mr. Thruston moved to amend said bill by striking out the word "less," printed in italics, and insert the word "more."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. Marshall and Chambers, were as follows, viz:

Those voted in the affirmative, were—

Mr. Speaker, Messrs. Ballingal, Ballinger, Burnam, Clark, J.	Gale, Gano, Graves, Harris, Harrison,	Russell, Salter, Shanklin, Speed, Sea,
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Clark, W. J.	Haskin,	Thornton,
Cleaveland,	Hopkins,	Thruston,
Cox, A. H.	Johnson,	Todd, R. S.
Crow,	Lecompte,	Tripplett,
Dallam,	Runyon,	Whitaker—31.
Dickey,		

Those who voted in the negative, were—

Messrs. Anthony,	Garrard,	Marshall, W. C.
Barnett,	Glenn,	Marshall, T.
Beard,	Gore,	Mason,
Bowman,	Gray, R. B.	McHenry,
Bradley,	Gray, W. M.	McRery,
Brasher,	Haggard,	Moore,
Brown,	Hambleton,	Porter,
Carter,	Hardy,	Prewitt,
Cessna,	Hays,	Root,
Chambers,	Heady,	Shacklett,
Chesnut,	Hendrix,	Shawhan,
Collins,	Hobbs,	Stanley,
Copelin,	Hughes,	Sterett,
Corum,	Humphreys,	Stone,
Cox, L. B.	Imboden,	Terrill,
Desta,	Jones, D. E.	Towles,
Dudley,	Jones, J.	Tully,
Eaker,	Kalfus,	Waddill,
Early,	Lawless,	Wheat,
Ford,	Leslie,	Wright—61.
Friend,		

The question was then taken on engrossing and reading said bill a third time, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stone and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Early,	Kalfus,
Ballingal,	Ford,	Lawless,
Barnett,	Friend,	Leslie,
Beard,	Garrard,	Marshall, W. C.
Bowman,	Glenn,	Marshall, T.
Bradley,	Gore,	Mason,
Brasher,	Gray, R. B.	McHenry,
Brown,	Gray, W. M.	Moore,
Burnam,	Haggard,	Porter,
Carter,	Hambleton,	Prewitt,
Cessna,	Hardy,	Root,
Chambers,	Harrison,	Shacklett,
Chesnut,	Hays,	Shawhan,
Collins,	Heady,	Sterett,

Copelin,	Hendrix,	Stone,
Corum,	Hobbs,	Terrill,
Cox, L. B.	Hughes,	Towles,
Crow,	Humphreys,	Tully,
Desha,	Imboden,	Waddill,
Dickey,	Jones, D. E.	Wheat,
Eaker,	Jones, J.	Wright—63.

Those who voted in the negative, were—

Mr. Speaker,	Graves,	Shanklin,
Messrs. Ballinger,	Harris,	Speed,
Clark, J.	Haskin,	Stanley,
Clark, W. J.	Hopkins,	Sea,
Cleaveland,	Johnson,	Thornton,
Cox, A. H.	Lecompte,	Thruston,
Dallam,	McRery,	Todd, R. S.
Dudley,	Runyon,	Triplett,
Gale,	Russell,	Whitaker—29.
Gano,	Salter,	

Mr. Collins moved that said bill have its third reading now, and it was decided in the affirmative.

The said bill was then read a third time.

Mr. T. Marshall moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chambers and T. Marshall, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Ford,	Lawless,
Ballingal,	Friend,	Leslie,
Barnett,	Garrard,	Marshall, W. C.
Beard,	Glenn,	Marshall, T.
Bowman,	Gore,	Mason,
Bradley,	Gray, R. B.	McHenry,
Brasher,	Gray, W. M.	Moore,
Brown,	Haggard,	Porter,
Burnam,	Hambleton,	Prewitt,
Carter,	Hardy,	Root,
Cessna,	Harrison,	Shacklett,
Chambers,	Hays,	Shawhan,
Chesnut,	Heady,	Sterett,
Collins,	Hendrix,	Stone,
Copelin,	Hobbs,	Terrill,
Corum,	Hughes,	Towles,

Cox, L. B.	Humphreys,	Tully,
Crow,	Imboden,	Waddill,
Desha,	Jones, D. E.	Wheat,
Dickey,	Kalfus,	Wright—62.
Eaker,		

Those who voted in the negative, were—

Mr. Speaker,	Graves,	Shanklin,
Messrs. Ballinger,	Harris,	Speed,
Clark, J.	Haskin,	Stanley,
Clark, W. J	Hopkins,	Sea,
Cleaveland,	Johnson,	Thornton,
Cox, A. H.	Lecompte,	Thruston.
Dallam,	McRery,	Todd, R. S.
Dudley,	Runyon,	Triplett,
Gale,	Russell,	Whitaker—29.
Gano,	Salter,	

Resolved, That the title thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill from the Senate, entitled, an act to reduce into one the several acts exempting property from execution, and for other purposes, reported the same without amendment.

Mr. Speed proposed an amendment to said bill.

And then the House adjourned.

WEDNESDAY, FEBUARY 5, 1845.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act the better to protect the purity of elections.

An act to provide for a change of venue in the prosecution against James Williams.

With amendments to each.

That they had passed bills of the following titles, viz:

An act for the benefit of the Kentucky Institution for the Education of the Blind.

An act to increase the resources of the Sinking Fund, and to provide for the burning of certain State bonds and coupons.

An act authorizing settlements to be made with the President of the Bank of the Commonwealth and the Board of Commissioners of the Sinking Fund.

An act prescribing the duties of the Board of Commissioners of the Sinking Fund, and directing that all moneys set apart to constitute a Sinking Fund shall be paid into the Treasury.

An act directing tolls on Turnpike roads to conform to the standard of federal coin.

An act to authorize the opening of a State road from Colemansville, in Harrison county, by Falmouth, to Foster's Landing, on the Ohio river, in Bracken county.

An act to revive and continue in force an act, entitled, an act to establish the town of Stamping Ground, in Scott county, approved January 24, 1834.

An act for the benefit of Susan R. Gist.

An act to provide a change of venue in the prosecution against Benjamin E. F. Lee.

An act for the benefit of John R. Wharton, and the heirs of William Clements.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the House of Representatives, of the following titles, and had found the same truly enrolled, viz:

An act for the benfit of John W. Whitaker, Collector of fines in the 21st Regiment of Kentucky Militia.

An act to amend an act, entitled, an act to incorporate the town of Smithland, and for other purposes, approved March 8, 1843.

An act providing a change of venue to Tarlton Boren.

An act for the benefit of John Reynolds.

An act for the benefit of the heirs of Daniel Lyle, deceased.

An act to amend the road law of Campbell county, and for other purposes.

An act to amend an act, approved March 2, 1844, entitled, an act to regulate the management of the Wilderness road, and for other purposes.

An act to amend an act, entitled, an act to amend the law concerning slaves, and for other purposes, approved January 28, 1830.

Also, enrolled bills which originated in the Senate, of the following titles, to-wit:

An act declaring Bear creek and Little Barren river navigable streams.

An act to allow an additional Justice of the Peace to Carter county, and for other purposes.

An act to regulate the terms of the Spencer Circuit Court.

An act to change the time of holding the Larue County Court, and for other purposes.

An act for the benefit of Samuel May.

An act to amend an act, entitled, an act to amend the charter of the Louisville and Portland Canal Company, approved February 22, 1844.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

Mr. Graves moved a re-consideration of the vote rejecting the bill to amend the charter of the Funk Seminary, in Oldham county.

Mr. McHenry moved to amend said bill, in the first section, by striking out the word "nine" and insert "five."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Gore,	McRery,
Ballingal,	Grigsby,	Moore,
Bradley,	Haggard,	Porter,
Burnam,	Hardy,	Prewitt,
Carter,	Harrison,	Root,
Copelin,	Heady,	Shacklett,
Corum,	Hendrix,	Stanley,
Dickey,	Humphreys,	Sterett,
Eaker,	Kalfus,	Terrill,
Early,	Leslie,	Todd, J. F.
Friend,	Mason,	Waddill,
Garrard,	McHenry,	Wright—37.
Glenn,		

Those who voted in the negative, were—

Mr. Speaker,	Ewing,	Marshall, W. C.
Messrs. Ballinger,	Gale,	Osburn,
Barnett,	Graves,	Parker,
Beard,	Gray, R. B.	Runyon,
Bowman,	Gray, W. M.	Russell,
Brasher,	Hambleton,	Salter,
Brown,	Harris,	Shanklin,
Cessna,	Haskin,	Shawhan,
Chambers,	Hays,	Speed,
Chesnut,	Hobbs,	Stone,
Clark, J.	Hopkins,	Thornton,
Clark, W. J.	Hughes,	Thruston,
Cleaveland,	Imboden,	Todd, R. S.
Collins,	Johnson,	Towles,
Cox, A. H.	Jones, D. E.	Triplett,
Crow,	Lair,	Tully,
Dallam,	Lawless,	Wheat,
Desha,	Lecompte,	Whitaker—55.
Dudley,		

Ordered, That said bill be engrossed and read a third time.

Mr. W. C. Marshall moved that said bill have its third reading now, and it was decided in the affirmative.

The said bill was then read a third time.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and Garrard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ewing,	McRery.
Messrs. Ballinger,	Ford,	Osburn,
Beard,	Gale,	Parker,
Brasher,	Gano,	Prewitt,
Brown,	Glenn,	Root,
Burnam,	Graves,	Runyon,
Carter,	Gray, R. B.	Russell,
Cessna,	Hambleton,	Salter,
Chambers,	Hardy,	Shanklin,
Chesnut,	Harris,	Shawhan,
Clark, J.	Haskin,	Speed,
Clark, W. J.	Hays,	Sterett,
Cleaveland,	Hobbs,	Stone,
Collins,	Hopkins,	Thornton,
Corum,	Hughes,	Thruston,
Cox, A. H.	Humphreys,	Todd, R. S.
Crow,	Imboden,	Towles,
Dallam,	Johnson,	Triplett,
Desha,	Jones, D. E.	Tully,
Dickey,	Lair,	Waddill,
Dudley,	Lecompte,	Wheat,
Eaker,	Marshall, W. C.	Whitaker—67.
Early,		

Those who voted in the negative, were—

Messrs. Ballingal,	Gray, W. M.	Leslie,
Barnett,	Grigsby,	Mason,
Bowman,	Haggard,	McHenry,
Bradley,	Harrison,	Moore,
Copelin,	Heady,	Porter,
Friend,	Hendrix,	Shacklett,
Garrard,	Kalfus,	Stanley,
Gore,	Lawless,	Wright—24.

Resolved, That the title thereof be as aforesaid.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to extinguish the rent and title of the City of Lexington to the Railroad Depot and Warehouse.

An act to amend an act, entitled, an act to incorporate the town of Lancaster, approved February 23, 1837, and for other purposes.

An act for the benefit of the Danville Artillery.

An act for the benefit of the Sheriffs of Marshall, Calloway, Larue and Union counties.

An act to amend the laws upon the subject of pedlers.

An act for the benefit of the Woodford Guards Riflemen.

An act for the benefit of the Sheriff of Nicholas county.

An act to provide for a change of venue in the prosecution against James Williams.

Were taken up, twice read, and concurred in.

The amendments proposed by the Senate, to the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to authorize the Surveyor's books of Henderson county to be transcribed.

An act to change the times of holding the Muhlenburg and Boyle Circuit Courts.

Were taken up, twice read, and concurred in.

Resolved, That this House recede from their second amendment to a bill from the Senate, entitled, an act to legalize the proceedings of the 115th Regiment of Kentucky Militia.

The House then took up the amendments proposed by the Senate, to a bill from this House, entitled, an act the better to protect the purity of elections.

The 1st, 3d, 4th and 5th amendments were then concurred in.

The 2d amendment proposed by the Senate, was to strike out the third section of said bill.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Triplett and Stone, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Dickey,	Hughes,
Ballinger,	Dudley,	Humphreys,
Barnett,	Eaker,	Imboden,
Beard,	Early,	Jones, J.
Bowman,	Friend,	Lair,
Bradley,	Gale,	Lecompte,
Brasher,	Garrard,	McRery,
Brown,	Glenn,	Osburn,
Carter,	Graves,	Root,
Cessna,	Gray, R. B.	Salter,
Clark, J.	Gray, W. M.	Shacklett,
Cleaveland,	Haggard,	Shawhan,
Copelin,	Hambleton,	Stone,
Cox, A. H.	Hardy,	Sea,

Cox, L. B.
Dallam,
Desha,

Harrison,
Hays,
Hendrix,

Towles,
Waddill,
Wheat—51.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Ballingal,
Burnam,
Chambers,
Chesnut,
Clark, W. J.
Collins,
Corum,
Crow,
Ewing,
Ford,
Gano,
Gore,
Grigsby,
Harris,
Haskin,

Heady,
Hobbs,
Hopkins,
Johnson,
Jones, D. E.
Kalfus,
Lawless,
Leslie,
Marshall, W. C.
Marshall, T
Mason,
McHenry,
Moore,
Parker,
Porter,
Prewitt,

Runyon,
Russell,
Shanklin,
Speed,
Stanley,
Sterett,
Terrill,
Thornton,
Thruston,
Todd, J. F.
Todd, R. S.
Triplett,
Tully,
Whitaker,
Wright—47.

Mr. Lair moved a re-consideration of the vote concurring in the second amendment proposed by the Senate to said bill.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Anthony and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,
Burnam,
Chambers,
Chesnut,
Clark, W. J.
Collins,
Corum,
Cox, A. H.
Crow,
Ewing,
Ford,
Gano,
Gore,
Grigsby,
Harris,
Harrison,

Haskin,
Heady,
Hobbs,
Hopkins,
Johnson,
Jones, D. E.
Kalfus,
Lair,
Lawless,
Leslie,
Marshall, W. C.
McHenry,
Parker,
Porter,
Prewitt,
Runyon,

Russell,
Salter,
Shanklin,
Speed,
Stanley,
Terrill,
Thornton,
Thruston,
Todd, J. F.
Todd, R. S.
Triplett,
Tully,
Waddill,
Whitaker,
Wright—47.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Anthony,
Ballingal,

Dudley,
Eaker,
Early,

Imboden,
Jones, J.
Lecompte,

Barnett,	Friend,	Marshall, T.
Beard,	Gale,	Mason,
Bowman,	Garrard,	McRery.
Bradley,	Glenn,	Moore,
Brasher,	Graves,	Osburn,
Brown,	Gray, R. B.	Root,
Carter,	Gray, W. M.	Shacklett,
Cessna,	Haggard,	Shawhan,
Clark, J.	Hambleton,	Sterett,
Cleaveland,	Hardy,	Stone,
Copelin,	Hays,	Sea,
Dallam,	Hendrix,	Towles,
Desha,	Hughes,	Wheat—50.
Dickey,	Humphreys,	

A bill from the Senate, entitled, an act to change the county line of Washington and Marion counties, was read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate of the following titles, viz:

An act for the benefit of the heirs of William Johnson, deceased.

An act to legalize the proceedings of the Courts of Assessment of the 17th and 36th Regiments of Kentucky Militia, and for other purposes.

An act giving to the Falmouth Bridge Company further time to receive subscriptions of stock and complete said bridge.

An act prescribing the duties of Agents appointed so sell forfeited lands, and applying the proceeds of sales to the Sinking Fund.

An act for the benefit of C. J. Blackburn.

An act for the benefit of the heirs of James B. Ewers, deceased.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate of the following titles, viz:

An act for the benefit of Richard Bartlett, a Constable of Henry county.

An act authorizing William Read, Ignatius Greenwell and Roderic Terrell to change the location of a fish dam on the Beech Fork.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles be amended, by adding to each, "and for other purposes."

Mr. Burnam presented the petition of the Trustees and others, of the town of Bowlinggreen, praying an amendment to the charter of said town.

Which was received, the reading thereof dispensed with, and referred to Messrs. Burnam, Sea, Hobbs and Lawless.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to reduce into one the several acts concerning common schools, and more effectually to establish the same in this Commonwealth.

A bill from the Senate, entitled, an act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

Mr. Brown moved to amend said bill by striking out the first, second and third sections.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and Thruston, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballinger,	Eaker,	Imboden,
Barnett,	Early,	Jones, J.
Bradley,	Friend,	Lecompté,
Brasher,	Gale,	Leslie,
Brown,	Garrard,	Mason,
Carter,	Gray, R. B.	Shacklett,
Clark, J.	Haggard,	Stone,
Cleaveland,	Harrison,	Sea,
Crow,	Haskin,	Towles,
Desha,	Heady,	Wheat—32.
Dudley,	Humphreys,	

Those who voted in the negative, were—

Messrs. Ballinger,	Graves,	Porter,
Beard,	Grigsby,	Prewitt,
Bowman,	Hardy,	Root,
Burnam,	Harris,	Runyon,
Chambers,	Hays,	Russell,
Clark, W. J.	Hendrix,	Salter,
Collins,	Hobbs,	Shanklin,
Copelin,	Hopkins,	Stanley,
Corum,	Jones, D. E.	Terrill,
Cox, A. H.	Kalfus,	Thruston,
Cox, L. B.	Lair,	Todd, J. F.

Dallam,	Lawless,	Todd, R. S.
Dickey,	Marshall, W. C.	Triplett,
Ewing,	McHenry,	Waddill,
Ford,	McRery,	Whitaker,
Gano,	Parker,	Wright—49.
Gore,		

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Garrard, were as follows, viz:

Those voted in the affirmative, were—

Mr. Speaker,	Gore,	McRery,
Messrs. Ballinger,	Graves,	Parker,
Beard,	Grigsby,	Porter,
Bowman,	Hambleton,	Prewitt,
Brasher,	Harris,	Root,
Burnam,	Harrison,	Runyon,
Chambers,	Hays,	Russell,
Clark, J.	Heady,	Shacklett,
Clark, W. J.	Hendrix,	Shanklin,
Collins,	Hobbs,	Speed,
Copelin,	Hopkins,	Stanley,
Corum,	Johnson,	Terrill,
Cox, A. H.	Jones, D. E.	Thruston,
Cox, L. B.	Jones, J.	Todd, J. F.
Dallam,	Kalfus,	Todd, R. S.
Early,	Lair,	Triplett,
Ewing,	Lawless,	Waddill,
Ford,	Marshall, W. C.	Whitaker,
Gano,	Mason,	Wright—59.
Glenn,	McHenry,	

Those who voted in the negative, were—

Messrs. Ballingal,	Dudley,	Humphreys,
Barnett,	Eaker,	Imboden,
Bradley,	Friend,	Lecompte,
Brown,	Gale,	Leslie,
Carter,	Garrard,	Salter,
Cleaveland,	Gray, R. B.	Stone,
Crow,	Haggard,	Towles,
Desha,	Hardy,	Wheat—26.
Dickey,	Haskin,	

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.

THURSDAY, FEBUARY 6, 1845.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to amend the several acts concerning the Newport Seminary or Academy.

An act allowing an additional Constable to the county of Oldham, and for other purposes.

An act to authorize the County Court of Campbell to appoint a Collector of the county levy for 1843.

That they had passed bills from this House, of the following titles, viz:

An act to amend an act incorporating the town of Paducah, and for other purposes.

An act to authorize a change of venue in the case of James Hildreth.

An act for the benefit of Martha Beard, committee of Martha Ann Beard.

An act to amend an act, entitled, an act for the benefit of Paulina G. Rodes and her children.

An act for the benefit of John B. McIlvaine.

An act for the benefit of William Pryer.

An act to regulate the time of holding the Rockcastle County Court, and for other purposes.

An act to change the venue in the case of John Cook, of the City of Louisville, charged with arson.

An act to divorce Sinclair Stapp,

An act for the benefit of George Mullikin.

An act providing for a change of venue in the prosecution against Morton Pennington.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of the owners of mills and other property injured by slackwater.

An act providing for a change of venue in the prosecution against Ned, a slave.

An act to provide for the running and marking the dividing line between the counties of Campbell and Pendleton, and between the counties of Jefferson and Bullitt, and between the counties of Jefferson and Shelby.

An act authorizing the improvement of Capitol Square.

Mr. Root presented the petition of sundry citizens of Campbell county, praying an amendment to the road laws of said county.

Which was received, the reading thereof dispensed with, and referred to the committee for Courts of Justice.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act to amend an act, approved March 2, 1844, entitled, an act to regulate the management of the Wilderness road, and for other purposes.

An act to amend an act, entitled, an act to amend the law concerning slaves, and for other purposes, approved January 28, 1830.

An act for the benifit of John W. Whitaker, Collector of fines in the 21st Regiment of Kentucky Militia.

An act to amend an act, entitled, an act to incorporate the town of Smithland, and for other purposes, approved March 8, 1843.

An act providing a change of venue to Tarlton Boren.

An act for the benefit of the heirs of Daniel Lyle, deceased.

An act for the benefit of John Reynolds.

An act to amend the road law of Campbell county, and for other purposes.

Approved February 5, 1845.

A bill from the Senate, entitled, an act to reduce into one the several acts concerning common schools, and more effectually to establish the same in this Commonwealth, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on Education.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill from the Senate, entitled, an act to give to holders of Kentucky land warrants further time to have surveys made under the same, and to return plats and certificates of survey to the Register's office, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House resumed the consideration of the bill to amend the laws in relation to the inspection of salt.

Ordred, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Speed moved the following amendment to said bill, as a substitute, to-wit:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, from and after the passage of this act, all salt landed or unloaded at the City of Louisville, not intended for that market, but to be reshipped by water, shall not be subject to inspection, except at the instance of the purchaser.

SEC. 2. Be it further enacted, That the County Court of Jefferson, shall, in the month of April, a majority of the Justices being present, appoint one Inspector, who shall hold his office for the term of — years, and until his successor may be appointed, and shall receive two cents for each barrel of salt by him inspected, instead of three cents, as now provided for by law.

SEC. 3. All fines collected from persons for selling salt without inspection, shall be disposed of as follows: one half to the informer, and one half to the Commonwealth.

SEC. 4. Be it further enacted, That all laws conflicting herewith, be, and the same are hereby repealed.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Speed and W. M. Gray, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballinger,	Jones, D. E.	Shanklin,
Burnam,	Jones, J.	Speed,
Dudley,	Lair,	Stone,
Haggard,	Runyon,	Tully,
Hobbs,	Russell,	Wright—15.

Those who voted in the negative, were—

Messrs. Anthony,	Eaker,	Lecompte,
Ballingal,	Early,	Leslie,
Barnett,	Ford,	Mason,
Beard,	Friend,	McHenry,
Bowman,	Gale,	McRery,
Bradley,	Garrard,	Moore,
Brasher,	Glenn,	Osburn,
Brown,	Gore,	Parker,
Carter,	Graves,	Porter,
Cessna,	Gray, W. M.	Prewitt,
Chambers,	Hambleton,	Root,
Chesnut,	Hardy,	Shacklett,
Clark, J.	Harrison,	Stanley,
Clark, W. J.	Haskin,	Sterett,
Cleaveland,	Hays,	Sea,
Collins,	Heady,	Thornton,
Copelin,	Hendrix,	Thruston,
Cox, A. H.	Hopkins,	Todd, R. S.
Cox, L. B.	Humphreys,	Towles,
Crow,	Imboden,	Waddill,
Dallam,	Johnson,	Wheat,
Desha,	Kalfus,	Whitaker—68.
Dickey,	Lawless,	

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Thruston moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Be it further enacted, That all salt imported into this State, and landed at any point in this State where an inspection is established by law, shall not be liable to inspection, provided such owner or importer, shall, in convenient time, after it is so landed or imported, make oath before a Justice of the Peace, that such salt was so imported and landed for exportation and sale, without this, and in another State, and shall forthwith hand the certificate of his oath, so made, to the Inspector; and salt once inspected in this State shall not again be liable to be inspected again, when sold in this State: and if any person shall, after so making oath, sell any such salt, or any part thereof in this State, such person so offending, shall pay a fine at the rate of two dollars for every barrel so sold, to be appropriated, one half to the Inspector, and the other half to the Commonwealth, to be recovered by a warrant or warrants, before any Justice of the Peace, in the name of the Commonwealth alone; and if any Inspector shall mark any *barrel or salt* as inspected, when it was not inspected in fact, he shall be fined ten dollars for every such offence, to be recovered by fine before a Justice of the Peace, by warrant, in the name of the Commonwealth alone, one half of which shall go to the informer and the other half to the Commonwealth: and moreover, such Inspector may be removed from office, for which, this offence shall be deemed good cause; and any person bringing salt in this State, and passing the place of any inspection, and selling the same in this State without an inspection of this State, shall pay a fine of one dollar for every barrel so sold, to be appropriated and recovered as this act directs.

Mr. Ewing moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Thruston be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Speed and Eaker, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Crow,	Lawless,
Ballinger,	Early,	McHenry,
Beard,	Ewing,	McRery,
Bradley,	Ford,	Parker,
Burnam,	Gano,	Russell,
Chambers,	Gore,	Sterett,
Chesnut,	Harris,	Sea,
Clark, W. J.	Haskin,	Thruston.
Cox, A. H.	Johnson,	Todd, J. F.—28.
Cox, L. B.		

Those who voted in the negative, were—

Messrs. Anthony,	Gray, R. B.	Moore,
Barnett,	Gray, W. M.	Osburn,
Bowman,	Haggard,	Prewitt,
Brasher,	Hambleton,	Root,
Carter,	Hardy,	Runyon,
Cessna,	Harrison,	Salter,
Clark, J.	Hays,	Shacklett,
Cleaveland,	Heady,	Shanklin,
Collins,	Hendrix,	Shawhan,
Copelin,	Hobbs,	Speed,
Corum,	Hopkins,	Stanley,
Dallam,	Humphreys,	Stone,
Desha,	Imboden,	Thornton,
Dickey,	Jones, D. E.	Todd, R. S.
Dudley,	Jones, J.	Towles,
Eaker,	Kalfus,	Triplett,
Friend,	Lair,	Tully,
Gale,	Lecompte,	Waddill,
Garrard,	Leslie,	Wheat,
Glenn,	Marshall, W. C.	Whitaker,
Graves,	Mason,	Wright—63.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Speed and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Desha,	Imboden,
Ballingal,	Dickey,	Kalfus,
Ballinger,	Eaker,	Lawless,
Barnett,	Ford,	Lecompte,
Bowman,	Friend,	Mason,
Bradley,	Gale,	McRery,
Brasher,	Garrard,	Moore,
Burnam,	Gore,	Osburn,
Carter,	Graves,	Parker,
Cessna,	Gray, W. M.	Root,
Chambers,	Hambleton,	Shacklett,
Chesnut,	Hardy,	Shawhan,
Clark, J.	Harris,	Sterett,
Clark, W. J.	Haskin,	Sea,
Cleaveland,	Hays,	Thruston,
Collins,	Heady,	Towles,
Copelin,	Hendrix,	Wheat,
Crow,	Humphreys,	Whitaker—55.
Dallam,		

Those who voted in the negative, were—

Messrs. Beard,	Johnson,	Shanklin,
Corum,	Jones, D. E.	Speed,
Cox, A. H.	Jones, J.	Stanley,
Cox, L. B.	Lair,	Stone,
Early,	Leslie,	Terrill,
Ewing,	Marshall, W. C.	Thornton,
Gano,	McHenry,	Todd, J. F.
Gray, R. B.	Porter,	Todd, R. S.
Haggard,	Prewitt,	Triplett,
Harrison,	Russell,	Waddill,
Hobbs,	Salter,	Wright—34.
Hopkins,		

Resolved, That the title thereof be as aforesaid.

Mr. Hobbs moved to dispense with the rules to enable him to offer the following resolution, viz:

Resolved, That during the remainder of the present session no member shall be permitted to speak longer than ten minutes, or more than once, on any subject presented to the consideration of this House, without the consent thereof.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hobbs and Kalfus, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Graves,	Parker,
Messrs. Anthony,	Gray, R. B.	Porter,
Ballinger,	Gray, W. M.	Prewitt,
Barnett,	Haggard,	Root,
Bowman,	Hambleton,	Runyon,
Bradley,	Hardy,	Russell,
Brasher,	Harris,	Salter,
Burnam,	Harrison,	Shacklett,
Carter,	Hays,	Shanklin,
Chambers,	Heady,	Shawhan,
Chesnut,	Hendrix,	Speed,
Clark, W. J.	Hobbs,	Stanley,
Cleaveland,	Hopkins,	Sterett,
Cox, L. B.	Humphreys,	Stone,
Crow,	Imboden,	Sea,
Dallam,	Johnson,	Terrill,
Desha,	Jones, D. E.	Thornton,
Dickey,	Jones, J.	Thruston,
Dudley,	Kalfus,	Todd, J. F.
Eaker,	Lair,	Towles,
Early,	Lawless,	Tully,
Ewing,	Marshall, W. C.	Waddill,
Ford,	McHenry,	Wheat,

Gale,	McRery,	Whitaker,
Glenn,	Moore,	Wright—77.
Gore,	Osburn,	

Those who voted in the negative, were—

Messrs. Ballinger,	Corum,	Leslie,
Beard,	Friend,	Mason,
Clark, J.	Gano,	Todd, R. S.
Collins,	Garrard,	Triplett—14.
Copelin,	Lecompte,	

The said resolution was then twice read and adopted.

The House then resumed the consideration of the bill from the Senate, entitled, an act to reduce into one the several acts exempting property from execution, and for other purposes.

The amendment proposed to said bill by Mr. Speed is as follows, viz:

Be it further enacted, That all persons residing in the cities and towns of this Commonwealth, not engaged in agricultural pursuits, there shall be reserved to each and every defendant or defendants in execution, attachment for debt, or fee bill, the following property, to-wit: One bed, bedstead and bedding; the necessary table ware and cooking utensils; the portrait, miniature or profile likeness of any relative or member of the family, and one additional bed, bedstead and bedding for every two children the defendant or defendants may have residing with them; and in addition to the above described property, the defendant or defendants shall be entitled to one hundred dollars worth of any property he or they may have, with the privilege of selecting such as the defendant or defendants may deem proper: *Provided, however*, That nothing in this act shall apply to married children or males over 12 years of age.

Mr. J. F. Todd moved to lay said bill and amendment on the table,

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Haggard and Strett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gano,	Mason,
Messrs. Ballinger,	Gray, R. B.	Parker,
Brasher,	Harris,	Shawhan,
Brown,	Hays,	Thruston,
Clark, J.	Imboden,	Todd, J. F.—17.
Desha,	Lecompte,	

Those who voted in the negative, were—

Messrs. Anthony,	Friend,	McHenry,
Ballingal,	Gale,	McRery,
Barnett,	Garrard,	Moore,
Beard,	Glenn,	Osburn,
Bowman,	Gore,	Porter,
Bradley,	Graves,	Prewitt,

Burnam,	Gray, W. M.	Root,
Carter,	Haggard,	Runyon,
Cessna,	Hambleton,	Salter,
Chambers,	Hardy,	Shacklett,
Chesnut,	Harrison,	Shanklin,
Clark, W. J.	Haskin,	Speed,
Cleaveland,	Heady,	Stanley,
Collins,	Hendrix,	Sterett,
Copelin,	Hobbs,	Stone,
Corum,	Hopkins,	Terrill,
Cox, A. H.	Jones, D. E.	Thornton,
Crow,	Jones, J.	Todd, R. S.,
Dallam,	Kalfus,	Towles,
Dickey,	Lair,	Triplett,
Dudley,	Lawless,	Tully,
Eaker,	Leslie,	Wheat,
Early,	Marshall, W. C.	Whitaker,
Ewing,	Marshall, T.	Wright—73.
Ford,		

Mr. W. C. Marshall moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Speed be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Speed and W. C. Marshall, were as follows, viz:

Those voted in the affirmative, were—

Mr. Speaker,	Haggard,	Prewitt,
Messrs. Brown,	Haskin,	Root,
Burnam,	Hobbs,	Russell,
Clark, J.	Hopkins,	Speed,
Clark, W. J.	Johnson,	Stanley,
Corum,	Jones, D. E.	Thornton,
Friend,	Jones, J.	Thruston,
Gale,	Lecompte,	Todd, R. S.
Gano,	McHenry,	Triplett,
Garrard,	McRery,	Tully,
Graves,	Parker,	Whitaker,
Gray, R. B.	Porter,	Wright—36,

Those who voted in the negative, were—

Messrs. Anthony,	Desha,	Kalfus,
Ballingal,	Dickey,	Lair,
Ballinger,	Dudley,	Lawless,
Barnett,	Eaker,	Leslie,
Beard,	Early,	Marshall, W. C.,
Bowman,	Ewing,	Mason,

Bradley,	Ford,	Moore,
Brasher,	Gore,	Osburn,
Carter,	Gray, W. M.	Runyon,
Cessna,	Hambleton,	Shacklett,
Chesnut,	Hardy,	Shawhan,
Cleaveland,	Harris,	Sterett,
Collins,	Harrison,	Stone,
Copelin,	Hays,	Terrill,
Cox, A. H.	Heady,	Towles,
Cox, L. B.	Hendrix,	Waddill,
Crow,	Humphreys,	Wheat—53.
Dallam,	Imboden,	

Ordered, That said bill be read a third time.

Mr. Lawless moved that said bill have its third reading now, and it was decided in the affirmative.

The said bill was then read a third time.

Mr. W. C. Marshall moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Desha, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Gale,	Marshall, W. C.
Ballingal,	Garrard,	Marshall, T.
Barnett,	Glenn,	McHenry,
Beard,	Gore,	McRery,
Bowman,	Graves,	Moore,
Bradley,	Gray, W. M.	Osburn,
Burnam,	Haggard,	Porter,
Carter,	Hambleton,	Prewitt,
Cessna,	Hardy,	Root,
Chesnut,	Harrison,	Russell,
Cleaveland,	Haskin,	Shacklett,
Collins,	Heady,	Stanley,
Copelin,	Hendrix,	Sterett,
Cox, A. H.	Hobbs,	Stone,
Crow,	Humphreys,	Terrill,
Dallam,	Johnson,	Thornton,
Dickey,	Jones, D. E.	Todd, R. S.
Dudley,	Jones, J.	Towles,
Eaker,	Kalsus,	Triplett,
Early,	Lair,	Tully,
Ewing,	Lawless,	Waddill,
Ford,	Leslie,	Wheat—67.
Friend,		

Those who voted in the negative, were—

Mr. Speaker,	Gray, R. B.	Runyon,
Messrs. Ballinger,	Harris,	Salter,
Brasher,	Hays,	Shanklin,
Brown,	Hopkins,	Shawhan,
Clark, J.	Imboden,	Speed,
Clark, W. J.	Lecompte,	Thruston,
Corum,	Mason,	Todd, J. F.
Desha,	Parker,	Wright—25.
Gano,		

Resolved, That the title thereof be as aforesaid.

The amendments proposed by the Senate, to a bill from this House, entitled, an act providing for a change of venue in the prosecution against Morton Penington, were taken up, twice read, and disagreed to.

The House then took up for consideration the bill concerning the Penitentiary.

Mr. Hobbs proposed a substitute for said bill.

Ordered, That said bill and substitute be referred to the committee for Courts of Justice, with instructions to report the same to the House to-morrow at 12 o'clock.

Mr. Hobbs, from the committee to whom was referred the bill to amend the militia laws, and to increase the school fund in certain counties, reported the same with an amendment as a substitute for said bill, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate of the following titles, viz:

An act to amend an act, entitled, an act to provide for a change of venue in the prosecution against James B. Spratts, approved March 2, 1844.

An act to incorporate a College in the county of Union, styled the Henry Clay Institute.

An act for the benefit of the sureties of James H. McKee.

An act for the benefit of Marietta H. Estes and her children.

An act for the relief of the heirs and legal representatives of John Kek, deceased.

An act for the benefit of the heirs of John W. Wooldridge, deceased.

An act for the benefit of the heirs of Thomas Henry, deceased.

An act to extend the jurisdiction of the Trustees of the town of Princeton, in Caldwell county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of Daniel P. White, and the heirs of John Y. Taylor, deceased, and Pleasant H. Williams, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee for Courts of Justice.

Bills from the Senate of the following titles, viz:

An act for the benefit of Burr Harrison, and the infant heir of Elizabeth H. Bain, deceased.

An act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836.

An act to amend an act concerning the appointment of Trustees of the town of Port Oliver, in Allen county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles be amended, by adding to each, "and for other purposes."

Mr. Hardy, from the committee of Conference, on the disagreement between the two Houses, on the amendments proposed by the Senate, to a bill from this House, entitled, an act to allow an additional Justice of the Peace to Barren county, and for other purposes, made a report, which was concurred in.

And then the House adjourned.

FRIDAY, FEBUARY 7, 1845.

A message was received from the Senate, announcing that they had concurred in the report of the committee of Conference, upon the disagreement between the two Houses, upon the amendments proposed by the Senate, to

a bill from this House, entitled, an act to allow an additional Justice of the Peace to Barren county, and for other purposes.

That they had concurred in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act for the benefit of Richard Bartlett, a Constable of Henry county.

An act to amend the charter of the Louisville and Elizabethtown Turnpike Company.

An act authorizing William Read, Ignatius Greenwell and Roderic Terrell to change the location of a fish dam on the Beech Fork.

That they had passed a bill from this House, entitled, an act to regulate the weight of grain, with amendments.

That they had passed a bill, entitled, an act concerning joint obligors.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to regulate the terms of the Spencer Circuit Court.

An act to change the time of holding the Larue County Court, and for other purposes.

An act to allow an additional Justice of the Peace to Carter county, and for other purposes.

An act declaring Bear creek and Little Barren river navigable streams.

Approved February 5, 1845.

Mr. Crow presented the petition of William Field, praying that compensation be allowed him for services rendered in assessing damages to mills on Muddy and Pend creeks, by slackwater.

Which was received, the reading thereof dispensed with, and referred to the committee on Claims.

Mr. Glenn, from the joint committee to visit the Lunatic Asylum, made the following report, viz:

[*For Report—see Legislative Documents.*]

Mr. Glenn, from the joint committee to visit Transylvania University, made the following report, viz:

[*For Report—see Legislative Documents.*]

Mr. Chambers asked leave of absence, for the remainder of the session, for Mr. Groesbeck, which was granted.

Mr. Ford, from the committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill in relation to the tobacco interest, and a Warehouse at Paducah, asked to be discharged from the further consideration thereof, which was granted.

Mr. Glenn, from the committee appointed to visit the Lunatic Asylum, re-

ported a bill for the benefit of the Lunatic Asylum, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

Ordered, That said bill be referred to Messrs. Chambers, Hardy and Glenn, and that they report the same to the House to-morrow, at 10 o'clock, A. M.

Mr. Haskin, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act to reduce into one the several acts concerning common schools, and more effectually to establish the same in this Commonwealth, reported the same without amendment.

Ordered, That said bill be read a third time.

Mr. Glenn moved that said bill have its third reading now, and it was decided in the affirmative.

The said bill was then read a third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lawless and Stett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gale,	Mason,
Messrs. Ballingal,	Gano,	McHenry,
Ballinger,	Glenn,	McRery,
Barnett,	Gore,	Moore,
Beard,	Graves,	Nuckolls,
Bowman,	Gray, R. B.	Osburn,
Brasher,	Gray, W. M.	Porter,
Brown,	Grigsby,	Prewitt,
Burnam,	Haggard,	Root,
Carter,	Hardy,	Runyon,
Cessna,	Harris,	Russell,
Chambers,	Harrison,	Salter,
Chesnut,	Haskin,	Shacklett,
Clark, J.	Hays,	Shanklin,
Clark, W. J.	Heady,	Shawhan,
Cleaveland,	Hendrix,	Speed,
Collins,	Hobbs,	Stanley,
Copelin,	Hopkins,	Terrill,
Corum,	Humphreys,	Thornton,
Cox, A. H.	Imboden,	Thruston.
Cox, L. B.	Johnson,	Todd, J. F.
Desha,	Jones, D. E.	Todd, R. S.
Dudley,	Jones, J.	Towles,
Eaker,	Kalfus,	Triplett,
Early,	Lair,	Tully,

Ewing,	Lecompte,	Wheat,
Ford,	Marshall; W. C.	Whitaker—83.
Friend,	Marshall, T.	

Those who voted in the negative, were—

Messrs. Bradley,	Lawless,	Sterett,
Crow,	Leslie,	Stone,
Dickey,	Parker,	Wright—10.
Garrard,		

Resolved, That the title thereof be as aforesaid.

Mr. Heady moved that a messenger be sent to the Senate, to ask leave to withdraw the report of this House, announcing the passage of a bill from the Senate, entitled, an act to reduce into one the several acts exempting certain property from execution, and for other purposes.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. C. Marshall and Kalfus, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Graves,	Parker,
Messrs. Ballinger,	Gray, R. B.	Root,
Brasher,	Hardy,	Runyon,
Brown,	Harris,	Salter,
Cessna,	Haskin,	Shacklett,
Chambers,	Heady,	Shanklin,
Clark, J.	Hendrix,	Shawhan,
Cleaveland,	Hopkins,	Speed,
Copelin,	Imboden,	Stanley,
Corum,	Johnson,	Terrill,
Cox, L. B.	Jones, D. E.	Triplett,
Desha,	Lecompte,	Whitaker,
Friend,	Mason,	Wright—41.
Gano,	Moore,	

Those who voted in the negative, were—

Messrs. Anthony,	Ewing,	Marshall, W. C.
Ballingal,	Ford,	Marshall, T.
Barnett,	Gale,	McHenry,
Beard,	Garrard,	McRery,
Bowman,	Glenn,	Nuckolls,
Bradley,	Gore,	Osburn,
Carter,	Gray, W. M.	Porter,
Chesnut,	Grigsby,	Prewitt,
Clark, W. J.	Haggard,	Russell,
Collins,	Hambleton,	Sterett,
Cox, A. H.	Harrison,	Stone,
Crow,	Humphreys,	Thornton,
Dallam,	Jones, J.	Todd, R. S.

Dickey,	Kalfus,	Towles,
Dudley,	Lair,	Tully,
Eaker,	Lawless,	Waddill,
Early,	Leslie,	Wheat—51.

Mr. Sterett, from the committee on Privileges and Elections, made the following report, viz:

The committee on Privileges and Elections have had under consideration the returns from the several counties, and beg leave to report: That the following named gentlemen have been duly elected Representatives from the counties annexed to their respective names, that is to say:

- From the county of *Adair*—James O. Wheat.
- From the county of *Allen*—Joseph G. Anthony.
- From the county of *Anderson*—Robert W. Sea.
- From the county of *Boyle*—James S. Hopkins.
- From the county of *Bracken*—William C. Marshall.
- From the county of *Bullitt*—Henry F. Kalfus.
- From the county of *Bourbon*—Henry Parker and William Wright.
- From the county of *Barren*—Burwell Lawless and James G. Hardy.
- From the county of *Breckinridge*—Charles Hambleton.
- From the county of *Boone*—George W. Brasher.
- From the counties of *Breathitt* and *Morgan*—Joseph Carter.
- From the county of *Bath*—John C. Mason.
- From the counties of *Ballard* and *McCracken*—John H. Terrill.
- From the counties of *Butler* and *Edmonson*—Lot W. Moore.
- From the county of *Campbell*—Ira Root.
- From the county of *Caldwell*—James Clark.
- From the county of *Christian*—Daniel H. Harrison and Robert L. Wad-dill.
- From the county of *Clarke*—Allen H. Cox.
- From the counties of *Carroll* and *Gallatin*—Edmund A. Whitaker.
- From the county of *Casey*—Winston Bowman.
- From the counties of *Cumberland* and *Clinton*—David R. Haggard.
- From the counties of *Carter* and *Lawrence*—Walter Osburn.
- From the county of *Crittenden*—William Hughes.
- From the counties of *Calloway* and *Marshall*—Richard Nuckolls.
- From the counties of *Clay*, *Letcher* and *Perry*—Theophilus T. Garrard.
- From the county of *Daviess*—James L. Johnson.
- From the counties of *Estill* and *Owsley*—William J. Clark.
- From the county of *Franklin*—Charles S. Morehead.
- From the county of *Fayette*—Robert S. Todd and Thomas A. Russell.
- From the counties of *Floyd*, *Pike* and *Johnson*—Samuel K. Friend.
- From the county of *Fleming*—Thomas Porter and Leonard Tully.
- From the county of *Graves*—John Eaker.
- From the county of *Greenup*—Jesse Corum.
- From the county of *Grant*—William Hendrix.
- From the county of *Garrard*—Gabriel J. Salter.
- From the county of *Green*—Thomas R. Barnett and George W. Towles.
- From the county of *Grayson*—William M. Gray.
- From the county of *Hopkins*—William Bradley.
- From the county of *Hickman*—Benjamin G. Dudley.

From the county of *Henderson*—John H. Stanley.
From the county of *Hardin*—Thomas D. Brown and James W. Hays.
From the county of *Hancock*—John Sterett.
From the county of *Henry*—Joseph Lecompte.
From the counties of *Knox* and *Harlan*—John Jones.
From the county of *Hart*—Benjamin Copelin.
From the county of *Harrison*—Lucius Desha and Joseph Shawhan.
From the county of *Jefferson*—Edward D. Hobbs and Daniel E. Jones.
From the city of *Louisville*—Charles M. Thruston and James S. Speed.
From the county of *Jessamine*—George S. Shanklin.
From the county of *Kenton*—Herman J. Groesbeck.
From the county of *Larue*—William Cessna.
From the counties of *Laurel* and *Rockcastle*—Evan Chesnut.
From the county of *Lincoln*—John L. Ballinger.
From the county of *Lewis*—Thomas Marshall.
From the county of *Logan*—George W. Ewing and John F. Todd.
From the county of *Livingston*—Francis H. Dallam.
From the county of *Muhlenburg*—Russell McRery.
From the county of *Madison*—Richard Runyon and Robert R. Harris.
From the county of *Montgomery*—Nelson Prewitt.
From the county of *Mercer*—Joseph Haskin.
From the county of *Marion*—Edmund A. Graves.
From the county of *Meade*—Benjamin W. Shacklett.
From the county of *Monroe*—Preston H. Leslie.
From the county of *Mason*—Richard Collins and Francis T. Chambers.
From the county of *Nelson*—Henry Gore and William R. Grigsby.
From the county of *Nicholas*—David Ballingal.
From the county of *Owen*—Henry B. Gale.
From the county of *Oldham*—Francis F. C. Triplett.
From the county of *Ohio*—John W. Crow.
From the county of *Pulaski*—John G. Lair.
From the county of *Pendleton*—Henry W. Cleaveland.
From the county of *Russell*—Shelby Stone.
From the county of *Simpson*—Levi Dickey.
From the county of *Shelby*—James Ford and Martin D. McHenry.
From the county of *Scott*—Stephen F. Gano.
From the county of *Spencer*—Stilwell Heady.
From the county of *Trimble*—Robert B. Gray.
From the county of *Todd*—Robert E. Glenn.
From the county of *Trigg*—Charles Humphreys.
From the county of *Union*—John Imboden.
From the county of *Woodford*—David Thornton.
From the county of *Washington*—Leonard B. Cox.
From the county of *Wayne*—Littleton Beard.
From the county of *Warren*—John Burnam.
From the county of *Whitley*—James H. Early.

All of which is respectfully submitted,

JOHN STERETT, *Chairman.*

A message was received from the Senate, by Mr. Field, announcing that they had passed a bill, entitled, an act to provide for the removal of suits in

chancery from the Jefferson Circuit Court to the Louisville Chancery Court, and for other purposes.

The amendments proposed by the Senate, to a bill from this House, entitled, an act to regulate the weight of grain, were taken up, twice read, and concurred in.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the House of Representatives, of the following titles, and had found the same truly enrolled, viz:

An act to amend the laws upon the subject of pedlers.

An act to provide for a change of venue in the prosecution against James Williams.

An act for the benefit of William Pryor.

An act to divorce Sinclair Stapp.

An act for the benefit of George Mullikin.

An act to regulate the time of holding the Rockcastle County Court, and for other purposes.

An act for the benefit of the Sheriff of Nicholas county.

An act for the benefit of the Sheriffs of Marshall, Calloway, Larue and Union counties.

An act to extinguish the rent and title of the City of Lexington to the Railroad Depot and Warehouse.

An act to amend an act, entitled, an act to incorporate the town of Lancaster, approved February 23, 1837, and for other purposes.

An act for the benefit of the Woodford Guards Riflemen.

An act for the benefit of the Danville Artillery.

And bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the heirs of John W. Wooldridge, deceased.

An act for the relief of the heirs and legal representatives of John Kek, deceased.

An act to incorporate a College in the county of Union, styled the Henry Clay Institute.

An act for the benefit of Marietta H. Estes and her children.

An act for the benefit of the sureties of James H. McKee.

An act to give to holders of Kentucky land warrants further time to have surveys made under the same, and to return plats and certificates of survey to the Register's office.

An act to amend an act, entitled, an act to provide for a change of venue in the prosecution against James B. Spratts, approved March 2, 1844.

An act to reduce into one the several acts exempting property from execution, and for other purposes.

An act to extend the jurisdiction of the trustees of the town of Princeton, in Caldwell county.

An act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

An act to change the county line of Washington and Marion counties.

An act giving to the Falmouth Bridge Company further time to receive subscriptions of stock and complete said bridge.

An act authorizing William Read, Ignatius Greenwell and Roderick Terrell to change the location of a fish dam on the Beech Fork, and for other purposes.

An act for the benefit of Richard Bartlett, a Constable of Henry county, and for other purposes.

An act for the benefit of C. J. Blackburn.

An act for the benefit of the heirs of James B. Ewers, deceased.

An act for the benefit of the heirs of William Johnson, deceased.

An act to legalize the proceedings of the Courts of Assessment of the 17th and 36th Regiments of Kentucky Militia, and for other purposes.

An act prescribing the duties of Agents appointed so sell forfeited lands, and applying the proceeds of sales to the Sinking Fund.

An act to legalize the proceedings of the 115th Regiment of Kentucky Militia, and for other purposes.

An act to amend the several acts concerning the Newport Seminary or Academy, and for other purposes.

An act to authorize the County Court of Campbell to appoint a Collector of the county levy for 1843, and for other purposes.

An act to change the times of holding the Muhlenburg and Boyle Circuit Courts, and for other purposes.

An act to authorize the Surveyor's books of Henderson county to be transcribed, and for other purposes.

An act allowing an additional Constable to the county of Oldham, and for other purposes.

An act concerning the town of Augusta.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Corum—1. A bill to incorporate a Turnpike Road Company in the county of Greenup, and for other purposes.

By the committee on the Sinking Fund—2. A bill providing for a special term of the General Court, for revenue purposes.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third

readings of the first bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill concerning the Penitentiary, and the substitute proposed therefor by Mr. Hobbs, reported the same without amendment.

Ordered, That said bill, substitute and amendments, be referred to Messrs. Chambers, Hobbs, Porter, Ewing, J. Clark, Hardy and McHenry, with instructions to report the same to the House at half past three o'clock, P. M.

A resolution from the Senate, providing for a final settlement of the concerns of the Old Bank of Kentucky, was taken up, twice read, and concurred in.

A bill from the Senate, entitled, an act for the benefit of the estate of Charles H. Webb, deceased, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and for other purposes."

Bills from the Senate of the following titles, viz:

An act for the benefit of the heirs of Susan B. Collins, and the heirs of Nancy Whitesides, deceased.

An act to change the name of William Henry Rice, of Boyle county, to that of William Henry Miller.

An act for the benefit of Henry Jones.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to place a part of the State road leading from Princeton to Centreville, in Caldwell county, under the power of the County Court of said county, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Mr. Friend moved further to amend said bill by adding the following, viz:

Be it further enacted, That the act of 1833, prohibiting the importation of slaves into this State, be, and the same is hereby repealed.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Friend and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Friend,	Jones, J.
Ballingal,	Gale,	Lecompte,
Beard,	Garrard,	Nuckolls,
Bradley,	Gray, R. B.	Osburn,
Brasher,	Haggard,	Shacklett,
Chesnut,	Heady,	Shawhan,
Dudley,	Hendrix,	Towles—22.
Early,		

Those who voted in the negative, were—

Mr. Speaker,	Gore,	Moore,
Messrs. Ballinger,	Graves,	Parker,
Barnett,	Gray, W. M.	Porter,
Bowman,	Grigsby,	Prewitt,
Brown,	Hambleton,	Root,
Carter,	Hardy,	Runyon,
Cessna,	Harris,	Russell,
Chambers,	Harrison,	Salter,
Clark, J.	Haskin,	Shanklin,
Clark, W. J.	Hays,	Stanley,
Cleaveland,	Hobbs,	Stone,
Collins,	Hopkins,	Sea,
Copelin,	Humphreys,	Terrill,
Corum,	Imboden,	Thornton,
Cox, A. H.	Johnson,	Thruston,
Cox, L. B.	Jones, D. E.	Todd, J. F.
Crow,	Kalfus,	Todd, R. S.
Dallam,	Lair,	Triplett,
Desha,	Lawless,	Tully,
Dickey,	Marshall, W. C.	Waddill,
Ewing,	Marshall, T.	Wheat,
Ford,	Mason,	Whitaker,
Gano,	McHenry,	Wright—71.
Glenn,	McRery.	

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Mr. Stone moved to amend said bill by adding the following clause, by way of ryder, viz:

Be it further enacted, That in all cases where the wife has been divorced from the husband, or the husband from the wife, either by an act of the Legislature, or by a decree of any of the Circuit Courts of this Commonwealth, that both parties shall stand and be divorced by operation of law, and restored to all the rights and privileges of unmarried persons.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Waddill and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Garrard,	McRery,
Beard,	Graves,	Nuckolls,
Brasher,	Gray, W. M.	Runyon,
Carter,	Hambleton,	Shacklett,
Cessna,	Heady,	Shawhan,
Chesnut,	Hendrix,	Speed,
Clark, J.	Humphreys,	Sterett,
Cleaveland,	Imboden,	Stone,
Cox, A. H.	Johnson,	Thruston,
Crow,	Kalfus,	Towles,
Eaker,	Lair,	Whitaker—35.
Early,	Lawless,	

Those who voted in the negative, were—

Mr. Speaker,	Friend,	McHenry,
Messrs. Anthony,	Gale,	Osburn,
Ballinger,	Gano,	Parker,
Barnett,	Glenn,	Porter,
Bowman,	Gore,	Prewitt,
Bradley,	Haggard,	Russell,
Chambers,	Hardy,	Salter,
Clark, W. J.	Harris,	Stanley,
Collins,	Harrison,	Terrill,
Copelin,	Hays,	Thornton,
Cox, L. B.	Hobbs,	Todd, R. S.
Dallam,	Hopkins,	Triplett,
Desha,	Jones, D. E.	Tully,
Dickey,	Lecompte,	Waddill,
Dudley,	Leslie,	Wheat,
Ewing,	Marshall, T.	Wright—50.
Ford,	Mason,	

Resolved, That said bill do pass, and that the title be amended by adding, "and for other purposes."

Mr. Chambers, from the committee to whom was referred the bill concerning the Penitentiary, and the substitute and amendments, reported the same, with a substitute for the same.

The said substitute reads as follows, viz :

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the General Court shall have jurisdiction, upon a bill filed by the Attorney General, on behalf of the State, to hear and determine upon all matters in controversy between Thomas S. Theobald, late Keeper of the Penitentiary, and the State, respecting the accounts and operations of the Penitentiary during the term or terms for which said Theobald was Keeper, as aforesaid; and in regard to said matters in controversy, said Court shall have full power to make such order and decree as shall be consistent with the principles of law and equity; and said Court shall have full power to make such orders and regulations, as to filing, pleadings and papers in said suit, either in Court or during vacations, as shall be deemed essential to its speedy determination.

SEC. 2. Be it further enacted, That it shall be lawful for the Commissioners of the Sinking Fund to allow to Craig & Henry credit on their obligations to the State, for the buildings and machinery erected and furnished by them in the Penitentiary, in consequence of the late fire, at the value of the said buildings and machinery, as stated in the annual report of the present Keepers; and that the said Commissioners, the Governor concurring, may direct such other buildings, machinery and improvements, to be erected and furnished by said Craig & Henry, within the walls of the Penitentiary, during the present year, as they may deem necessary and proper, not exceeding ten thousand dollars in value, exclusive of the value of the buildings and machinery already erected and furnished.

SEC. 3. That to enable said Keepers to purchase building materials, and make said improvements, they are hereby authorized to draw out of the Treasury the sum of five thousand dollars, provided they shall first execute bond to the Commonwealth of Kentucky, in the penalty of ten thousand dollars, with two or more good securities, to be approved of by the Governor, conditioned to apply said sum of money to the purposes aforesaid, and further, to repay the same into the Treasury out of the first profits due the State from the said Penitentiary, which said bond shall be filed with the Second Auditor, who, upon the filing thereof, shall forthwith, draw his warrant on the Treasurer for the said sum of five thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated.

SEC. 4. Be it further enacted, That the said Keepers shall report to the next General Assembly, specifically, when and how the said sum of money was disbursed by them.

SEC. 5. That it shall not be lawful for the Keepers to receive into the Penitentiary, any slaves for safe keeping, unless they shall keep the same confined in the cells at night, and at all times, either during the day or night, apart from the white convicts.

SEC. 6. That the Keepers of the Penitentiary shall not, hereafter, be required to shave the heads of the convicts, except when they first enter the prison, unless they shall deem it proper to do so, as a punishment for misbehavior.

SEC. 7. Be it further enacted, That said Craig & Henry, be, and they are hereby released from all liability to the State on account of the loss sustained by the late burning of the Penitentiary, except insomuch as they are legally bound, as partners, to bear one third of said loss.

Mr. McHenry moved to amend said substitute, by striking out the third and fourth sections, and adding to the second section, the following, viz:

And the said buildings and machinery shall be paid for out of the State's profits from the Penitentiary.

A division of the question being called for, the question was first taken on striking out the third and fourth sections, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McHenry and Chambers, were as follows, viz:

Those voted in the affirmative, were—

Messrs. Anthony,	Friend,	Mason,
Ballinger,	Gale,	McHenry,
Beard,	Graves,	Moore,
Bowman,	Grigsby,	Nuckolls,
Cessna,	Hays,	Shacklett,
Chesnut,	Hendrix,	Shawhan,
Cleaveland,	Humphreys,	Stone,
Dallam,	Kalfus,	Thornton,
Desha,	Lair,	Wheat—29.
Dickey,	Lecompte,	

Those who voted in the negative, were—

Messrs. Ballingal,	Gore,	Parker,
Barnett,	Gray, W. M.	Porter,
Bradley,	Haggard,	Prewitt,
Brasher,	Hambleton,	Root,
Chambers,	Hardy,	Runyon,
Clark, J.	Harris,	Russell,
Clark, W. J.	Harrison,	Shanklin,
Collins,	Haskin,	Speed,
Copelin,	Heady,	Stanley,
Corum,	Hobbs,	Sterett,
Cox, A. H.	Hopkins,	Terrill,
Cox, L. B.	Imboden,	Thruston,
Crow,	Johnson,	Todd, R. S.
Dudley,	Jones, D. E.	Towles,
Early,	Jones, J.	Triplett,
Ewing,	Lawless,	Tully,
Ford,	Leslie,	Waddill,
Gano,	Marshall, T.	Whitaker,
Garrard,	Osburn,	Wright—58.
Glenn,		

The said substitute was then concurred in.

Ordered, That said bill be read a third time.

Mr. Collins moved that said bill have its third reading now, and it was decided in the affirmative.

The said bill was then read a third time.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McHenry and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Gore,	Mason,
Barnett,	Graves,	McRery,
Bradley,	Gray, W. M.	Moore,
Brasher,	Grigsby,	Osburn,
Cessna,	Haggard,	Parker,
Chambers,	Hambleton,	Porter,
Chesnut,	Hardy,	Prewitt,
Clark, J.	Harris,	Root,
Clark, W. J.	Harrison,	Runyon,
Collins,	Haskin,	Russell,
Copelin,	Heady,	Salter,
Corum,	Hobbs,	Shanklin,
Cox, A. H.	Hopkins,	Speed,
Cox, L. B.	Humphreys,	Stanley,
Crow,	Imboden,	Terrill,
Dallam,	Johnson,	Thruston,
Dudley,	Jones, D. E.	Todd, R. S.
Early,	Jones, J.	Towles,
Ewing,	Kalfus,	Triplett,
Ford,	Lair,	Tully,
Gano,	Lawless,	Waddill,
Garrard,	Leslie,	Whitaker,
Glenu,	Marshall, T.	Wright—69,

Those who voted in the negative, were—

Messrs. Anthony,	Dickey,	Nuckolls,
Ballinger,	Friend,	Shacklett,
Beard,	Gale,	Shawhan,
Bowman,	Hays,	Stone,
Carter,	Hendrix,	Thornton,
Cleaveland,	Lecompte,	Wheat—20.
Desha,	McHenry,	

Resolved, That the title thereof be as aforesaid.

Mr. Collins, from the committee on Claims, reported a bill for the appropriation of money, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

Ordered, That the further consideration of said bill be postponed, and made the special order of the day for to-morrow, at 10 o'clock, A. M.

A bill from the Senate, entitled, an act for the benefit of the Kentucky Institution for the Education of the Blind, was read the first time, and ordered to be read a third time.

Mr. Thruston moved to dispense with the second reading of said bill. And the question being taken thereon, it was decided in the affirmative. The yeas and nays being required thereon by Messrs. Garrard and Dickey, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Glenn,	McRery,
Messrs. Anthony,	Gore,	Moore,
Ballingal,	Graves,	Nuckolls,
Ballinger,	Gray, W. M.	Osburn,
Barnett,	Grigsby,	Parker,
Beard,	Haggard,	Porter,
Brasher,	Hardy,	Prewitt,
Carter,	Harris,	Root,
Cessna,	Harrison,	Runyon,
Chambers,	Haskin,	Russell,
Chesnut,	Hays,	Salter,
Clark, J.	Heady,	Shacklett,
Clark, W. J.	Hendrix,	Shawhan,
Collins,	Hopkins,	Speed,
Copelin,	Humphreys,	Stanley,
Corum,	Imboden,	Stone,
Cox, A. H.	Johnson,	Terrill,
Crow,	Jones, D. E.	Thornton,
Dallam,	Jones, J.	Thruston.
Desha,	Kalfus,	Todd, R. S.
Eaker,	Lair,	Triplett,
Early,	Lawless,	Tully,
Ewing,	Lecompte,	Waddill,
Ford,	Leslie,	Wheat,
Gale,	Mason,	Whitaker,
Gano,	McHenry,	Wright—78.

Those who voted in the negative, were—

Messrs. Bowman,	Dudley,	Garrard,
Bradley,	Friend,	Marshall, T.—7.
Dickey,		

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Mr. Corum moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Haggard and Chambers, were as follows, viz;

Those who voted in the affirmative, were—

Mr. Speaker,	Grigsby,	Nuckolls,
Messrs. Ballinger,	Hardy,	Parker,
Beard,	Harris,	Porter,
Carter,	Haskin,	Root,
Cessna,	Hays,	Runyon,
Chambers,	Heady,	Russell,
Chesnut,	Hobbs,	Salter,
Clark, W. J.	Hopkins,	Shanklin,
Collins,	Humphreys,	Speed,
Corum,	Johnson,	Stanley,
Cox, A. H.	Jones, D. E.	Thornton,
Dallam,	Jones, J.	Thruston,
Eaker,	Kalfus,	Todd, J. F.
Early,	Lair,	Todd, R. S.
Ewing,	Lawless,	Triplett,
Ford,	Lecompte,	Tully,
Gale,	Leslie,	Waddill,
Gano,	Marshall, T.	Wheat,
Glenn,	McHenry,	Whitaker,
Gore,	McRery,	Wright—61.
Graves,		

Those who voted in the negative, were—

Messrs. Anthony,	Dickey,	Hendrix,
Ballingal,	Dudley,	Imboden,
Barnett,	Friend,	Moore,
Bowman,	Garrard,	Osburn,
Bradley,	Gray, R. B.	Prewitt,
Brasher,	Gray, W. M.	Shacklett,
Copelin,	Haggard,	Shawhan,
Crow,	Harrison,	Stone—25.
Desha,		

Resolved, That the title thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of Susan R. Gist,
was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

SATURDAY, FEBRUARY 8, 1845.

Mr. T. Marshall moved a re-consideration of the vote passing a bill from the Senate, entitled, an act for the benefit of the Kentucky Institute for the Education of the Blind.

Mr. McHenry moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the vote passing said bill be re-considered? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Dickey,	Imboden,
Ballingal,	Dudley,	Lair,
Barnett,	Friend,	Lecompte,
Bowman,	Gale,	Marshall, T.
Bradley,	Garrard,	Mason,
Brown,	Graves,	Moore,
Carter,	Gray, R. B.	Osburn,
Cessna,	Gray, W. M.	Shacklett,
Clark, J.	Haggard,	Shawhan,
Cleaveland,	Hambleton,	Stone,
Copelin,	Hardy,	Sea,
Crow,	Heady,	Towles—38.
Desha,	Hendrix,	

Those who voted in the negative, were—

Mr. Speaker,	Harrison,	Runyon,
Messrs. Ballinger,	Hays,	Russell,
Beard,	Hobbs,	Shanklin,
Brasher,	Hopkins,	Speed,
Burnam,	Humphreys,	Stanley,
Chesnut,	Jones, D. E.	Sterett,
Clark, W. J.	Kalfus,	Terrill,
Collins,	Lawless,	Thornton,
Corum,	Leslie,	Thruston,
Cox, A. H.	Marshall, W. C.	Todd, R. S.
Cox, L. B.	McHenry,	Triplett,
Eaker,	McRery,	Tully,
Early,	Nuckolls,	Waddill,
Ford,	Parker,	Wheat,
Gano,	Porter,	Whitaker,
Gore,	Root,	Wright—49.
Harris,		

Those who voted in the negative, were—

Messrs. Anthony,	Friend,	Mason,
Ballingal,	Gale,	McHenry,
Bradley,	Graves,	Moore,
Carter,	Gray, W. M.	Nuckolls,
Clark, J.	Haggard,	Osburn,
Cleaveland,	Hambleton,	Porter,
Copelin,	Harrison,	Prewitt,
Dallam,	Heady,	Root,
Desha,	Hendrix,	Salter,
Dickey,	Imboden,	Shacklett,
Dudley,	Lecompte,	Shawhan,
Eaker,	Marshall, T.	Towles—37.
Early,		

The House then resolved itself into a committee of the whole, on said bill—Mr. Chambers in the Chair—and after some time spent therein, the Speaker resumed the Chair, when Mr. Chambers reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House, without amendment, which he handed in at the Clerk's table.

Mr. Mason moved to amend said bill by striking out "ten dollars," for the Clerks of the Senate and House of Representatives, and insert "eight dollars."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Gale,	Lecompte,
Ballingal,	Glenn,	Marshall, T.
Barnett,	Gray, W. M.	Mason,
Beard,	Haggard,	Moore,
Bradley,	Hardy,	Porter,
Cessna,	Haskin,	Prewitt,
Cleaveland,	Heady,	Shacklett,
Copelin,	Hendrix,	Shawhan,
Desha,	Humphreys,	Stanley,
Dickey,	Imboden,	Stone,
Dudley,	Jones, J.	Towles,
Early,	Lawless,	Wheat—37.
Friend,		

Those who voted in the negative, were—

Mr. Speaker,	Ford,	Osburn,
Messrs. Ballinger,	Gano,	Parker,
Bowman,	Garrard,	Root,
Brasher,	Gore,	Runyon,

Brown,	Hambleton,	Russell,
Burnam,	Harrison,	Shanklin,
Carter,	Hays,	Speed,
Chambers,	Hobbs,	Sterett,
Chesnut,	Hopkins,	Terrill,
Clark, J.	Johnson,	Thornton,
Clark, W. J.	Jones, D. E.	Thruston,
Collins,	Kalfus,	Todd, R. S.
Corum,	Lair,	Triplett,
Cox, A. H.	Leslie,	Tully,
Cox, L. B.	Marshall, W. C.	Waddill,
Crow,	McHenry,	Whitaker,
Dallam,	McRery,	Wright—52.
Ewing,		

Mr. Mason moved further to amend said bill by striking out "seven dollars," to the Assistant Clerks of the Senate and House of Representatives, and insert "four dollars."

Mr. Lawless called for a division of the question.

The question was first taken on striking out, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Graves, were as follows, viz:

Those voted in the affirmative, were—

Messrs. Anthony,	Garrard,	Lecompte,
Ballingal,	Glenn,	Leslie,
Barnett,	Graves,	Marshall, T.
Beard,	Gray, R. B.	Mason,
Bradley,	Gray, W. M.	Moore,
Brown,	Haggard,	Nuckolls,
Cessna,	Hambleton,	Porter,
Cleaveland,	Hardy,	Prewitt,
Copelin,	Haskin,	Shacklett,
Desha,	Hays,	Shawhan,
Dickey,	Heady,	Stanley,
Dudley,	Hendrix,	Stone,
Eaker,	Humphreys,	Sea,
Early,	Imboden,	Towles,
Friend,	Lawless,	Wheat—46.
Gale,		

Those who voted in the negative, were—

Mr. Speaker,	Ford,	Root,
Messrs. Ballinger,	Gano,	Runyon,
Bowman,	Gore,	Russell,
Brasher,	Grigsby,	Shanklin,
Burnam,	Harrison,	Speed,
Carter,	Hobbs,	Sterett,

Chambers,	Hopkins,	Terrill,
Chesnut,	Johnson,	Thornton,
Clark, J.	Jones, D. E.	Thruston,
Collins,	Jones, J.	Todd, R. S.
Corum,	Kalfus,	Triplett,
Cox, A. H.	Marshall, W. C.	Tully,
Cox, L. B.	McHenry,	Waddill,
Crow,	McRery,	Whitaker,
Dallam,	Osburn,	Wright—47.
Ewing,	Parker,	

Mr. Mason moved to amend said bill, by adding the following proviso, viz:

Provided, however, That the public printing shall be done at the average price which it was agreed to be done for, by A. G. Hodges, for the past two years.

Mr. Collins moved to amend said amendment by making it read as follows, viz:

Provided, however, That the public printing shall be done at the price fixed by law, approved March 2, 1842.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. T. Marshall and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grigsby,	Prewitt,
Messrs. Ballinger,	Hambleton,	Runyon,
Barnett,	Harris,	Russell,
Brasher,	Harrison,	Shanklin,
Burnam,	Hays,	Speed,
Cessna,	Hobbs,	Stanley,
Chambers,	Hopkins,	Sterett,
Chesnut,	Humphreys,	Sea,
Clark, W. J.	Johnson,	Terrill,
Collins,	Jones, D. E.	Thornton,
Cox, A. H.	Jones, J.	Thruston,
Cox, L. B.	Kalfus,	Todd, R. S.
Dallam,	Lawless,	Triplett,
Eaker,	Leslie,	Tully,
Early,	Marshall, W. C.	Waddill,
Ewing,	McHenry,	Wheat,
Ford,	Parker,	Whitaker,
Gano,	Porter,	Wright—55.
Gore,		

Those who voted in the negative, were—

Messrs. Anthony,	Dickey,	Imboden,
Ballingal,	Dudley,	Lecompte,
Beard,	Friend,	Marshall, T.

Bowman,	Gale,	Mason,
Bradley,	Garrard,	Moore,
Brown,	Graves,	Nuckolls,
Carter,	Gray, R. B.	Osburn,
Clark, J.	Gray, W. M.	Root,
Cleaveland,	Haggard,	Shacklett,
Copelin,	Hardy,	Shawhan,
Corum,	Haskin,	Stone,
Crow,	Heady,	Towles—38.
Desha,	Hendrix,	

The question was then taken on the amendment of Mr. Mason, as amended, and decided in the affirmative.

Mr. Mason moved to amend said bill by adding the following, viz:

Sec. —. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, if any public officer, commissioned agent, receiver or holder of any public money or property, or any State bonds, coupons, or other State securities, shall fraudulently sell, dispose of, or embezzle the same, or knowingly and wilfully appropriate the same to any use otherwise than that which is or may hereafter be prescribed by law, he or they shall be deemed guilty of felony, and upon conviction, shall undergo a confinement in the jail or penitentiary house of this State, for any period not less than two years, nor more than ten years.

Sec. —. Be it further enacted, That if any person shall aid, abet, advise, or countenance any public officer in the accomplishment of any of the above named acts, or aid, advise, or countenance, in any manner, to cheat or swindle this Commonwealth, he shall be guilty of felony, and upon conviction, shall undergo a confinement in the jail and penitentiary house of this State, for any period not less than one year, nor more than five years.

Sec. —. Be it further enacted, That it shall be the duty of the Attorney General of this State to cause the appropriate process to issue; to cause witnesses to appear before the grand jury of any county, where such offence may be committed, and, if necessary, may cause copies of the public records to be made out, read and used before the grand jury, and on the final trial of the cause aforesaid: *Provided*, That this act shall not be construed to apply to defaulting Sheriffs, County and Circuit Court Clerks, or Trustees of the Jury Fund, who may have executed bonds with approved security, for the faithful performance of their duties.

Mr. McHenry moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment of Mr. Mason be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Garrard,	Marshall, T.
Bradley,	Graves,	Mason,
Corum,	Gray, R. B.	Moore,

Dudley,
Friend,
Gale,

Heady,
Imboden,

Shawhan,
Towles—16.

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Anthony,
Ballinger,
Barnett,
Beard,
Bowman,
Brasher,
Burnam,
Carter,
Cessna,
Chambers,
Chesnut,
Clark, J.
Clark, W. J.
Cleaveland,
Collins,
Copelin,
Cox, A. H.
Cox, L. B.
Crow,
Dallam,
Desha,
Dickey,
Eaker,

Early,
Ewing,
Ford,
Gano,
Gore,
Gray, W. M.
Haggard,
Hambleton,
Hardy,
Harris,
Harrison,
Haskin,
Hays,
Hendrix,
Hobbs,
Hopkins,
Humphreys,
Johnson,
Jones, D. E.
Jones, J.
Kalfus,
Lair,
Lawless,

Lecompte,
Leslie,
Marshall, W. C.
McHenry,
McRery,
Osburn,
Parker,
Porter,
Prewitt,
Root,
Runyon,
Russell,
Shacklett,
Shanklin,
Speed,
Stanley,
Sterett,
Thornton,
Todd, R. S.
Waddill,
Wheat,
Whitaker,
Wright—70.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required thereon by Messrs. T. Marshall and Garrard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Ballinger,
Beard,
Bowman,
Brasher,
Burnam,
Carter,
Cessna,
Chambers,
Chesnut,

Garrard,
Glenn,
Gore,
Grigsby,
Haggard,
Hambleton,
Harris,
Harrison,
Hays,
Hobbs,

McRery,
Nuckolls,
Osburn,
Parker,
Porter,
Prewitt,
Root,
Runyon,
Russell,
Shanklin,

Clark, W. J.	Hopkins,	Speed,
Collins,	Humphreys,	Stanley,
Corum,	Johnson,	Sterett,
Cox, A. H.	Jones, D. E.	Terrill,
Crow,	Jones, J.	Thornton,
Dallam,	Kalfus,	Thruston.
Eaker,	Lair,	Todd, R. S.
Early,	Lawless,	Waddill,
Ewing,	Leslie,	Whitaker,
Ford,	Marshall, W. C.	Wright—62.
Gano,	McHenry,	

Those who voted in the negative, were—

Messrs. Anthony,	Friend,	Imboden,
Ballingal,	Gale,	Lecompte,
Barnett,	Graves,	Marshall, T.
Bradley,	Gray, R. B.	Mason,
Clark, J.	Gray, W. M.	Moore,
Cleaveland,	Hardy,	Shacklett,
Copelin,	Haskin,	Shawhan,
Desha,	Heady,	Towles,
Dickey,	Hendrix,	Wheat—27.

A message was received from the Governor, by Mr. Hardin, Secretary of State, which is as follows, viz:

Gentlemen of the House of Representatives:

In conformity to the request of the Legislature of the State of Alabama, I herewith transmit resolutions of that Legislature, approved the 22d January, 1845.

WM. OWSLEY.

February 8th, 1845.

STATE OF ALABAMA.

IN THE HOUSE OF REPRESENTATIVES, JANUARY 7TH, 1845.

MR. PHILLIPS, from the committee on Federal Relations, submitted the following report:

THE committee on Federal Relations, to whom were referred resolutions from the State of Massachusetts, proposing to amend the Federal Constitution, by striking out that portion of the third clause, second section, first article, which apportions Representatives and direct taxes, by adding to the free white inhabitants, "*three-fifths of all other persons;*"—together with the replies of the States of Kentucky, Maryland and Virginia—also, resolutions of the State of South Carolina, in relation to the Agent sent by Massachusetts to reside within her borders, to litigate the right of that State to prevent the ingress of free persons of color—deeply impressed with their serious import, have bestowed on them a calm and solemn consideration, and without division, either in feeling or opinion, have instructed me to recommend the adoption of the following report and resolutions:

It is well known to all, conversant with the history of the Convention,

which adopted our present form of Government, that the "three-fifths" rule of representation, gave rise to great debate and agitation in that body, and for a long while threatened its dissolution. The States represented in that Convention, were sovereign and independent; it was the right of each to determine the conditions on which it would enter into the Federal compact. The slaveholding States believing their interests and their rights required the existing rule of representation, insisted upon its adoption: on the other hand, it was strenuously resisted by a few of the States as unequal and unjust to those who held no slaves; and the clause as it now stands in the Constitution, was finally adopted against the vote of but two States—Massachusetts voting in the majority. The Constitution thus framed, was submitted to the States, and adopted by the people of *each*, and thus became the law of *all*.

The history of this provision of the Constitution therefore, shows that it was incorporated by the Convention as a *solemn stipulation*, and agreed to by the people of each of the thirteen States, in order to consolidate their union.

The Southern States surely can see nothing in the circumstances which now surround them, to cause their abandonment of a security so strenuously insisted on, when interference with their domestic institutions was merely a subject of philosophical speculation. Now, there exists in some of the States, a faction, yearly and rapidly increasing in power (stimulated by influences from abroad, and strengthened by political dissensions at home,) that seeks the total overthrow of the institutions of the South, careless of the means, and regardless of the consequences. Already it controls sixty thousand voters, not the less formidable, because governed by the spirit of a wild fanaticism; already it has shown itself strong enough to fill the Temple of Religion with discord, and divide its altar: already it has entered into the Halls of Congress, and before its potent voice, the Representatives of the people have been driven into the adoption of a rule, which virtually submits the time and deliberation of that body, chosen to represent the interest of the whole Union, to the direction and disposal of those who seek its dissolution.

It is under such circumstances that the State of Massachusetts proposes to pluck from the Constitution its guaranty to the South!

Warned by Virginia that the proposition was regarded as an offer to dissolve the Union, she yet reasserts it, and has transmitted to this State the following resolution, approved the 16th of March, 1844:

"Now therefore resolved, That the resolves of the Legislature of this Commonwealth do express the deliberate sentiments of the people of Massachusetts; that they do in truth and in good faith propose an amendment to the Constitution of the United States; that so far from containing a proposition virtually to dissolve the Union, THEY ASSERT A PRINCIPLE WHICH IS ESSENTIAL TO ITS STABILITY AND PERMANENCE; and to the assertion and maintenance of which, in every constitutional way, the people of Massachusetts will always hereafter, as they now do, firmly and conscientiously adhere."

It is a subject of painful reflection that in the very infancy of the Republic, the declaration has been published by the constituted authorities of a State celebrated for its revolutionary services, and conspicuous for the wealth and intelligence of its citizens, that the solemn stipulations of the Constitution must be violated, and its fundamental law changed in order to give "*stability and permanence*" to the *Union*.

But the extraordinary course of Massachusetts does not stop here. As if determined to move on this question from every point, we learn from the Carolina resolutions heretofore referred to, that Massachusetts—asserting her obligation to protect her citizens—has lately sent an agent to reside in that State, to litigate the validity of those laws, which she (in common with the other States of the South) has enacted for the purpose of ensuring domestic tranquility. Those laws prohibit the ingress of free negroes, and provide for the detention and safe custody of those who may enter her ports until the departure of the vessel in which they arrived.

Laws of a similar character have been enacted in this State, and form a part of our new Penal Code, prepared with much care by our Judges, and adopted by this Legislature.

It is against this *domestic police* of the South, founded in the highest State necessity—and having no other end than peace and security—that Massachusetts under the weak plea of defending the rights of her colored population, who choose to enter our territories in defiance of our laws—sends her agents into our ports to proclaim amidst *ready listeners*, that we have no legal power to establish guards for the peaceable subjection of one portion of our community and the happiness and safety of the whole.

Upon this subject the committee offer no argument, for if they properly appreciate the sentiments of this Honorable body, it would be regarded as more than superserviceable.

The State of South Carolina has the same authority for the enactment of these laws, as she would have—"to provide pecuniary measures against the moral pestilence of paupers, vagabonds or convicts,"—or to "guard against the physical pestilence which may arise from a ship, the crew of which may be laboring under an infectious disease." It is a right never to be yielded up until she forfeits her identity as a State, "*to exclude from her borders all persons whose admission would endanger her safety and security.*"

Be it therefore resolved by the Senate and House of Representatives of the State of Alabama, in General Assembly convened, That they regard the proposition of Massachusetts to amend the Constitution, and her declaration that this is necessary to the "stability and permanence" of the Union, as a determination that she is both willing and ready to dissolve our political compact.

Resolved, That the Federal Constitution resulted from compact between the several States;—that it was founded in compromise of the various interests which distinguished them;—that the question of Representation was adjusted by the Convention upon equitable principles;—and that Alabama will neither relinquish this right on the request of one State, nor at the bidding of any greater number.

Resolved, That the repeal of the 25th Rule by the present session of Congress, was a weak and truckling submission to the spirit of Fanaticism; that it adds another and important triumph to the Faction, which now fortified in the Halls of legislation, may dispatch its fiery arrows over every section of our confederacy.

Resolved, That we sympathize with the patriotic spirit of the Legislature of South Carolina, which so promptly resisted the insolent attempt to disturb her domestic tranquility.

"The power of slavery belongs to the States respectively"—"it is local in

its character and effects,"—"each State has a right to guard its citizens against its inconveniences and dangers." The right to exercise this power by a State is *higher and deeper than the Constitution*. "The evil involves the prosperity and may endanger the existence of a State." Its power to guard against or to remedy the evil rests upon the law of self-preservation; a law vital to every community and especially to a sovereign State."

Resolved, That the Governor be requested to transmit copies of this report and resolutions to the Governors of the other States of the Union, with a request that they should be laid before their respective Legislatures—and that copies be also forwarded to our delegation in Congress.

A. B. MOORE,
Speaker of the House of Representatives.
NATHANIEL TERRY,
President of the Senate.

Approved January 22, 1845.

EXECUTIVE DEPARTMENT, {
TUSCALOOSA, ALABAMA, JANUARY 25, 1845. }

SIR,—I have been requested by the Legislature of this State, to transmit you the above Report and Resolutions.

I have the honor to be, very respectfully,

Your obedient servant,
BEN. FITZPATRICK,
Governor of the State of Alabama.

To His Excellency

THE GOVERNOR OF KENTUCKY,

Mr. Mason moved to refer said message to a select committee, with instructions to report the same to the House on Monday next, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Dudley,	Humphreys,
Ballingal,	Eaker,	Imboden,
Barnett,	Ford,	Lecompte,
Bradley,	Friend,	Marshall, T.
Brown,	Gale,	Mason,
Carter,	Garrard,	Moore,
Cessna,	Glenn,	Nuckolls,
Clark, J.	Graves,	Prewitt,
Cleaveland,	Gray, R. B.	Root,
Copelin,	Hardy,	Shawhan,
Corum,	Haskin,	Sea,
Desha,	Heady,	Towles—38.
Dickey,	Hendrix,	

Those who voted in the negative, were—

Mr. Speaker,	Hambleton,	Porter,
Messrs. Ballinger,	Harris,	Runyon,
Beard,	Harrison,	Russell,
Bowman,	Hays,	Shacklett,
Brasher,	Hobbs,	Shanklin,
Burnam,	Hopkins,	Speed,
Chambers,	Johnson,	Sterett,
Chesnut,	Jones, D. E.	Stone,
Clark, W. J.	Jones, J.	Terrill,
Collins,	Kalfus,	Thornton,
Cox, A. H.	Lair,	Thruston,
Crow,	Lawless,	Todd, R. S.
Early,	Leslie,	Triplett,
Ewing,	Marshall, W. C.	Tully,
Gano,	McHenry,	Waddill,
Gore,	McRery,	Wheat,
Gray, W. M.	Osburn,	Whitaker,
Grigsby,	Parker,	Wright—55.
Haggard,		

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act to amend the laws upon the subject of pedlers.

An act to provide for a change of venue in the prosecution against James Williams.

An act to divorce Sinclair Stapp.

An act for the benefit of William Pryor.

An act to regulate the time of holding the Rockcastle County Court, and for other purposes.

An act for the benefit of George Mullikin.

An act for the benefit of the Sheriff of Nicholas county.

An act for the benefit of the Sheriffs of Marshall, Calloway, Larue and Union counties, and for other purposes.

An act to amend an act, entitled, an act to incorporate the town of Lancaster, approved February 23, 1837, and for other purposes.

An act to extinguish the rent and title of the City of Lexington to the Railroad Depot and Warehouse.

An act for the benefit of the Woodford Guards Riflemen.

An act for the benefit of the Danville Artillery.

Approved February 7, 1845.

A message was received from the Senate, announcing that they recede from their amendment to a bill from this House, entitled, an act providing for a change of venue in the prosecution against Morton Penington.

That they had concurred in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act for the benefit of Burr Harrison, and the infant heir of Elizabeth H. Bain, deceased.

An act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836.

And that they had disagreed to the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to amend an act concerning the appointment of Trustees of the town of Port Oliver, in Allen county.

An act to place a part of the State road leading from Princeton to Centreville, in Caldwell county, under the power of the County Court of said county.

That they had disagreed to bills from this House, of the following titles, to-wit:

An act to incorporate the St. Cecelia Musical Society.

An act for the benefit of the heirs of Elizabeth Doris, of Hopkins county.

That they had passed bills from this House, of the following titles, viz:

An act to reduce the number of Justices of the Peace and Constables of Adair county, and for other purposes.

An act for the benefit of the Port Royal Seminary, in Henry county.

An act for the benefit of Thomas Parker, Alexander Bruce and John Johnson, late Sheriffs of Lewis county.

An act to facilitate the collection of water rents upon Green and Barren rivers.

An act to repair Lock and Dam No. 1, on Barren river.

An act for the benefit of Alexander Graham and others.

An act for the benefit of the children of Henry O. Byers.

An act for the benefit of James Squires, of Bourbon county, and for other purposes.

An act to amend an act concerning the town of Newport, and for other purposes.

An act to amend the charter of the Funk Seminary, in Oldham county.

An act concerning the penitentiary.

An act to incorporate a Turnpike Road Company in the county of Greenup, and for other purposes.

That they had passed bills of the following titles, viz:

An act for the benefit of Overton P. Hogan, and the heirs of Henry Case.

An act to amend an act, entitled, an act for the benefit of Eliza Jane Maxfield and children, approved February 17, 1836.

An act to extend the limits of the town of Stanford, in Lincoln county.

A bill from the Senate, entitled, an act to increase the resources of the Sinking Fund, and to provide for the burning of certain State bonds and coupons, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

The said bill was amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Mr. Lawless moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Be it further enacted, That hereafter, flatboats descending the Kentucky river, and starting at points above the influence of slackwater, which, in the discretion of the Board of Internal Improvement, are not required to pay toll, that similar boats descending Green and Barren rivers shall be subject to the same rule of provision.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lawless and J. Clark, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anthony,	Glenn,	Leslie,
Barnett,	Graves,	Moore,
Copelin,	Gray, W. M.	Prewitt,
Cox, A. H.	Hardy,	Shawhan,
Ewing,	Jones, J.	Terrill,
Friend,	Lawless,	Towles,
Garrard,	Lecompte,	Wheat—21.

Those who voted in the negative, were—

Mr. Speaker,	Eaker,	Marshall, W. C.
Messrs. Ballingal,	Early,	Marshall, T.
Ballinger,	Ford,	Mason,
Beard,	Gale,	McHenry,
Bowman,	Gano,	McRery.
Bradley,	Gore,	Nuckolls,
Brasher,	Gray, R. B.	Osburn,
Brown,	Grigsby,	Parker,
Burnam,	Haggard,	Porter,
Carter,	Hambleton,	Root,
Cessna,	Harrison,	Runyon,
Chambers,	Haskin,	Russell,
Chesnut,	Hays,	Shacklett,
Clark, J.	Heady,	Shanklin,
Clark, W. J.	Hendrix,	Speed,
Cleaveland,	Hobbs,	Stanley,
Collins,	Hopkins,	Sterett,

Corum,	Humphreys,	Thornton,
Crow,	Imboden,	Thruston,
Desha,	Johnson,	Todd, R. S.
Dickey,	Jones, D. E.	Whitaker,
Dudley,	Kalfus,	Wright—66.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act authorizing settlements to be made with the President of the Bank of the Commonwealth, and the Board of Commissioners of the Sinking Fund, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Thruston moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Be it further enacted, That the Mayor and Council of the City of Louisville may, and shall have power to license the setting up and running of four billiard tables in said City: *Provided*, The person so licensed shall first pay over to the Treasurer of said City the sum of five hundred dollars, for each license so granted, to be paid into the Treasury of this Commonwealth, for the use of, and in aid of, the Sinking Fund: *And, provided*, The persons so licensed shall also pay the sum of one hundred dollars, additional, on each license so granted, to be paid over to the Treasurer of said City, for the use of the City: *And provided*, That the person or persons so licensed, shall, before such license shall be granted, first give bond, with good security, to keep orderly *houses*, when the said tables are set up, and conditioned not to permit unlawful gaming on said tables, or in their said houses, where said tables are set up; and the persons to whom licenses shall be granted, shall be liable to all the pains and penalties denounced and inflicted, by law, against tavern keepers, for keeping disorderly houses, and permitting unlawful gaming in their said tavern houses; and for a violation of their bonds, in any particular, they may be proceeded against by indictment in the City Court of Louisville; and all penalties recovered, or fines assessed, for a violation of the provisions of this act, shall be appropriated as other fines and penalties assessed in said City Court, for violating the penal laws of this Commonwealth; said bond or bonds, provided by this act to be taken, shall be in the penalty of one thousand dollars each, with security to be approved by the Mayor and Council of said City, and shall be taken by the Clerk of said city of Louisville, payable to the Commonwealth, and be preserved among the other papers and records thereof; and said license shall be signed by the Mayor of said City, under the seal of the City, for which, the person obtaining it, shall pay the Mayor a fee of one dollar.

Mr. Hobbs moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment proposed by Mr. Thruston be adopted? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickey and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Nuckolls,	Sterett,
Beard,	Speed,	Thruston—7.
Chambers,		

Those who voted in the negative, were—

Mr. Speaker,	Gale,	Lecompte,
Messrs. Anthony,	Gano,	Leslie,
Ballinger,	Garrard,	Marshall, W. C.
Barnett,	Glenn,	Mason,
Bowman,	Gore,	McHenry,
Bradley,	Graves,	McRery,
Brasher,	Gray, R. B.	Moore,
Brown,	Gray, W. M.	Osburn,
Burnam,	Grigsby,	Parker,
Carter,	Haggard,	Porter,
Cessna,	Hambleton,	Prewitt,
Chesnut,	Hardy,	Runyon,
Clark, J.	Harris,	Russell,
Clark, W. J.	Harrison,	Shacklett,
Cleaveland,	Haskin,	Shanklin,
Collins,	Hays,	Shawhan,
Copelin,	Heady,	Stanley,
Corum,	Hendrix,	Sea,
Cox, A. H.	Hobbs,	Terrill,
Cox, L. B.	Hopkins,	Thornton,
Crow,	Humphreys,	Todd, R. S.
Desha,	Imboden,	Towles,
Dickey,	Johnson,	Waddill,
Dudley,	Jones, D. E.	Wheat,
Early,	Jones, J.	Whitaker,
Ford,	Kalfus,	Wright—80.
Friend,	Lawless,	

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act prescribing the duties of the Board of Commissioners of the Sinking Fund, and directing that all moneys set apart to constitute a Sinking Fund, shall be paid into the Treasury, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with.

The same was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to regulate the weight of grain.

An act to allow an additional Justice of the Peace to Barren county, and for other purposes.

An act to reduce the number of Justices of the Peace and Constables of Adair county, and for other purposes.

An act for the benefit of Thomas Parker, Alexander Bruce and John Johnson, late Sheriffs of Lewis county.

An act the better to protect the purity of elections.

An act to amend an act, entitled, an act for the benefit of Paulina G. Rodes and her children.

An act for the benefit of Martha Beard, committee of Martha Ann Beard.

An act for the benefit of John B. McIlvaine.

An act to amend an act incorporating the town of Paducah, and for other purposes.

An act to change the venue in the case of John Cook, of the City of Louisville, charged with arson.

An act to authorize a change of venue in the case of James Hildreth.

And bills which originated in the Senate, of the following titles, viz:

An act to reduce into one the several acts concerning common schools, and more effectually to establish the same in this Commonwealth.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

An act for the benefit of Susan R. Gist.

An act for the benefit of the heirs of Thomas Henry, deceased.

An act to change the name of William Henry Rice, of Boyle county, to that of William Henry Miller.

An act for the benefit of the heirs of Susan B. Collins, and the heirs of Nancy Whitesides, deceased.

An act for the benefit of Hervey Jones.

A resolution providing for a final settlement of the concerns of the Old Bank of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

Mr. Glenn, from the committee to whom was referred a bill for the benefit of the Lunatic Asylum, reported the same with an amendment, as a substitute for said bill, which was concurred in.

The said bill, as amended, reads as follows:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the sum of five thousand dollars be, and the same is hereby, appropriated to the Lunatic Asylum, for the purpose of enabling the managers of said Institution to make such additions to the buildings of said Institution as may be necessary to its proper and successful management, and the accommodation of the inmates: said sum to be paid in equal annual instalments of one thousand six hundred and sixty six dollars and sixty six cents each, commencing on the first day of January, 1846, with interest on the same from the date of the approval of this act, at the rate of six per centum per annum; and the Second Auditor is hereby authorized and directed, upon the requisitions of said Directors, to draw his warrant on the Treasurer for said annual payments, as they fall due, who shall pay the same out of any money in the Treasury not otherwise appropriated.

SEC. 2. That the first, second, third, fourth and sixth sections of an act providing compensation to Sheriffs and others, for conveying persons of unsound mind to the Lunatic Asylum, approved March 10, 1843, be, and the same is hereby, repealed.

SEC. 3. That hereafter, it shall be the duty of the Courts, in all cases, when persons of unsound mind are ordered by said Court, to be conveyed to the Lunatic Asylum, shall appoint some prudent person to convey them to the Asylum, who shall not receive more compensation for his services than will pay his expenses in going and returning; and if said Court cannot obtain a suitable person upon such terms, the Clerk of said Court shall forthwith transmit to the Managers a copy of the record in such case, and if the proceedings have been regular, and the party entitled to admission and support, at the expense of the State, the said Directors shall immediately send and have such person or persons conveyed to the Asylum, who shall not receive more for his services than a sufficient amount to defray necessary expenses.

SEC. 4. That in all examinations ordered by the Court as to the unsoundness of the mind of any person, the jury shall enquire and report on the following points: the age; occupation; married or single; length of time insane; is it the first attack? how did it exhibit itself? has it changed? is there violence? are there any peculiar illusions? is the disposition much changed? ever attempted to commit suicide? is the patient subject to fits? how long, and from what cause? what the cause of insanity? any relations insane? what is his or her habits? is he or she educated? what is his or her natural temper? affection to relatives, and general health?

SEC. 5. That all bonds taken by said Directors, for the boarding of lunatics, or other purposes, shall be made payable to the Commonwealth, and all causes of action arising thereon, or in any way accruing to the Commonwealth, on account of persons confined in said Asylum, may be maintained and prosecuted in the General Court.

Provided, however, That the failure of the jury to respond to any of the enquiries herein suggested, shall be no cause for refusing to receive any lunatic into the Asylum.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hambleton and Dickey, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Glenn,	McHenry,
Ballinger,	Gore,	McRery.
Brasher,	Graves.	Nuckolls,
Burnam,	Grigsby,	Parker,
Chambers,	Hardy,	Porter,
Chesnut,	Harris,	Root,
Clark, J.	Harrison,	Runyon,
Clark, W. J.	Hays,	Russell,
Collins,	Heady,	Shanklin,
Corum,	Hobbs,	Stanley,
Cox, A. H.	Hopkins,	Thornton,
Crow,	Johnson,	Thruston,
Desha,	Jones, D. E.	Todd, R. S.
Early,	Jones, J.	Tully,
Ford,	Kalfus,	Waddill,
Friend,	Lawless,	Whitaker,
Gale,	Mason,	Wright—51.

Those who voted in the negative, were—

Messrs. Anthony,	Dudley,	Imboden,
Barnett,	Eaker,	Lair,
Beard,	Ewing,	Lecompte,
Bowman,	Garrard,	Leslie,
Bradley,	Gray, R. B.	Marshall, W. C.
Brown,	Gray, W. M.	Marshall, T.
Carter,	Haggard,	Osburn,
Cessna,	Hambleton,	Prewitt,
Cleaveland,	Haskin,	Shacklett,
Copelin,	Hendrix,	Shawhan,
Dallam,	Humphreys,	Wheat—34.
Dickey,		

Resolved, That the title thereof be as aforesaid.

The House again resumed the consideration of the bill from the Senate, entitled, an act to allow an additional Justice of the Peace and Constable to Letcher county.

The amendment proposed by Mr. Mason reads as follows, viz:

WHEREAS, It is believed that the want of skill, economy and efficiency, in the management of our roads, under the existing system, is the necessary and inevitable result of the system itself, and that the loss thereby sustained to the revenues of the State, and to other Stockholders, is very great, without any, the least, corresponding benefit to the public: therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be the duty of the Board of Internal Improvement, at the earliest practicable period after the passage of this act, to cause the same to be published in such of the newspapers as they may deem expedient; also to give notice thereof to the Presidents and Directors of the several Turnpike Road Companies, and of their intention, acting on the part of the State, and of such of the other Stockholders as may agree thereto, to lease out, for a term of years not less than —, nor more than —, the roads aforesaid, and that the Board are ready to receive proposals, from any one or more persons, up to such time as the Board may designate.

SEC. 2. *Be it further enacted,* That before proceeding to enter into any contract for leasing out said roads, it shall be the duty of the Board to receive, from the individual and other Stockholders, all the votes that can be obtained in favor of, and against, leasing out said roads, respectively, the State and other Stockholders being each entitled to the number of votes authorized by their respective charters, when voting for President or Directors; and upon the reception of the votes given, according to the ratio aforesaid, the Board shall proceed to count the votes, and if it shall be found that a majority thereof are in favor of leasing out said road, then, and in that case, the Board shall proceed to lease out the same, taking from the lessee or contractor bond and good security, for the faithful fulfilment of all the obligations of the contract: *Provided, however,* That none of said roads shall be so leased out unless the same shall bring into the Public Treasury, and a better dividend to the other Stockholders, than heretofore has been divided, upon an average of the same term of years, by the road.

SEC. 3. *Be it further enacted,* That the several Contractors shall be bound, as at present the respective Road Treasurers are bound, to pay into the State Treasury, half yearly, the amount of dividend due to the State, and in like manner to pay over to the Road Treasurers, for the benefit of the Stockholders to whom it may be due, their portions of said dividend.

SEC. 4. *Be it further enacted,* That it shall be the duty of the Board of Internal Improvement, in making contracts with the lessees, to reserve to the Board, by, and with the consent and approbation of, the Governor, the right to forfeit, and render null and void, any contract, whenever the contractor or lessee shall violate or fail to comply with the provisions of the contract; of which violation or failure the said Board and the Governor shall be the sole judges.

SEC. 5. *Be it further enacted,* That each and every contractor or lessee shall be bound to fulfil all the lawful obligations of the respective companies, to the State, to individual Stockholders, to the public, and to all other persons.

SEC. 6. *Be it further enacted,* That each and every contractor or lessee shall be subject to all the liabilities, pains, and penalties, for any violation of his obligation or defalcation of duty, as fully as the said companies are liable; that he may sue and be sued, recover and be recovered against, in like manner, in cases of debt, damages, or other offences.

SEC. 7. *Be it further enacted,* That the rates of toll upon the respective roads shall be governed by the charters respectively, and by the subsequent enactments applicable thereto, which shall be stated in the contract, with such modifications as the laws authorize the Board to make, and the contractors shall be bound thereby, for and during the term of his lease:

Provided, however, That a lessee shall not be allowed to charge any toll, or higher rates of toll, than such as existed, by law and the by-laws of the several companies, at the date of the lease.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Friend,	Lair,
Messrs. Ballingal,	Gale,	Marshall, T.
Beard,	Garrard,	Mason,
Bradley,	Glenn,	McRery,
Cessna,	Hays,	Nuckolls,
Clark, J.	Hendrix,	Root,
Corum,	Imboden,	Shacklett,
Desha,	Jones, J.	Shawhan—25.
Eaker,		

Those who voted in the negative, were—

Messrs. Ballinger,	Graves,	Marshall, W. C.
Bowman,	Gray, R. B.	McHenry,
Brasher,	Gray, W. M.	Parker,
Brown,	Haggard,	Porter,
Burnam,	Hambleton,	Prewitt,
Chambers,	Hardy,	Runyon,
Chesnut,	Harris,	Russell,
Clark, W. J.	Harrison,	Shanklin,
Collins,	Heady,	Stanley,
Copelin,	Hobbs,	Terrill,
Cox, A. H.	Hopkins,	Thornton,
Crow,	Humphreys,	Thruston,
Dallam,	Johnson,	Todd, R. S.
Dickey,	Jones, D. E.	Tully,
Dudley,	Kalfus,	Waddill,
Early,	Lawless,	Wheat,
Ewing,	Lecompte,	Whitaker,
Ford,	Leslie,	Wright—55.
Gore,		

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and for other purposes."

A bill from the Senate, entitled, an act establishing election precincts in Harrison and Crittenden counties, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Mr. Beard moved further to amend said bill by adding the following, viz:

That all playing cards, hereafter sold, either by wholesale or retail, in this Commonwealth, shall, upon the backs thereof, be white, uncheckered, unspotted and uncolored, and if any person shall manufacture or sell any playing cards, other than such as are in this section specified, he shall, for each and every deck so illegally sold, be subject to a fine of fifty dollars, to be recovered by presentment or indictment, as in other cases.

And the question being taken on the adoption of the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Beard and Haggard, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beard,	Glenn,	Jones, J.
Early,	Haggard,	Lair,
Ewing,	Heady,	McRery,
Garrard,	Johnson,	Prewitt—12.

Those who voted in the negative, were—

Mr. Speaker,	Dickey,	Kalfus,
Messrs. Anthony,	Dudley,	Lawless,
Ballingal,	Eaker,	Lecompte,
Ballinger,	Ford,	Leslie,
Barnett,	Friend,	Marshall, T.
Bowman,	Gale,	Mason,
Bradley,	Gano,	McHenry,
Brasher,	Gore,	Nuckolls,
Brown,	Graves,	Osburn,
Burnam,	Gray, R. B.	Parker,
Carter,	Gray, W. M.	Root,
Cessna,	Grigsby,	Runyon,
Chambers,	Hambleton,	Shacklett,
Chesnut,	Hardy,	Shanklin,
Clark, J.	Harris,	Shawhan,
Clark, W. J.	Harrison,	Stanley,
Collins,	Haskin,	Sterett,
Copelin,	Hays,	Thornton,
Corum,	Hendrix,	Thruston,
Cox, A. H.	Hobbs,	Todd, R. S.
Cox, L. B.	Hopkins,	Tully,
Crow,	Humphreys,	Wheat,
Dallam,	Imboden,	Whitaker,
Deshaw,	Jones, D. E.	Wright—72.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title be amended by adding, "and for other purposes."

A resolution from the Senate in relation to the payment of dividends on the Bank Stock owned by the State, was twice read and concurred in.

A bill from the Senate, entitled, an act to establish an election precinct in Spencer county, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding "and for other purposes."

A bill from the Senate, entitled, an act to establish election precincts in Franklin county, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to Messrs. Hobbs, R. S. Todd and Chambers.

A bill from the Senate, entitled, an act to change the time of holding the Green, Hart and Meade Circuit Courts, was read the first time.

On motion of Mr. Towles,

Ordered, That said bill be laid on the table.

Bills from the Senate of the following titles, viz:

An act for the benefit of Johnson Hailey and Randolph Hailey.

An act for the benefit of Samuel Hutchason.

An act for the benefit of William Haydon, an Idiot.

An act for the benefit of Sarah E. Snead, an infant, of the City of Louisville.

An act for the benefit of Nancy Adams, a lunatic.

An act to amend the charter of the City of Lexington.

An act to authorize the Trustees of the town of Breathitt to change an alley in said town.

An act for the benefit of David Bringle and others.

An act declaring Russell's creek, in Green county, a navigable stream, and for other purposes.

An act to amend the charter of the Glasgow and Scottsville Turnpike Road.

An act to authorize the opening of a State road from Colemansville, in

Harrison county, by Falmouth, to Foster's Landing, on the Ohio river, in Bracken county.

An act for the benefit of John R. Wharton, and the heirs of William Clements.

An act to provide a change of venue in the prosecution against Benjamin E. T. Lee.

An act to revive and continue in force an act, entitled, an act to establish the town of Stamping Ground, in Scott county, approved January 24, 1834.

An act directing tolls on Turnpike roads to conform to the standard of federal coin.

An act authorizing the improvement of Capitol Square.

An act for the benefit of the owners of mills and other property injured by slackwater.

An act providing for a change of venue in the prosecution against Ned, a slave.

An act to provide for the running and marking the dividing line between the counties of Campbell and Pendleton, and between the counties of Jefferson and Bullitt, and between the counties of Jefferson and Shelby.

An act concerning joint obligors.

An act to provide for the removal of suits in Chancery from the Jefferson Circuit Court to the Louisville Chancery Court, and for other purposes.

An act to amend an act, entitled, an act for the benefit of Eliza Maxfield and children, approved February 17, 1836.

An act for the benefit of Overton P. Hogan, and the heirs of Henry Case.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to extend the limits of the town of Stanford, in Lincoln county, was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so said bill was disagreed to.

And then the House adjourned.

MONDAY, FEBRUARY 10, 1845.

On motion of Mr. Crow, the House took up the resolution in relation to the sixth census of the United States.

Which being twice read, was adopted.

Mr. Root moved the following resolution, viz:

Resolved, That the Public Printer be directed to print 3,000 copies of the Common School law, passed this session, to be distributed to the several School Commissioners in this State, for the use of the several School Districts.

Which was adopted.

A message was received from the Senate, by Mr. Field, announcing that they had passed a bill, entitled, an act to amend the charter of the Louisville and Portland Canal Company.

The said bill was then read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. R. B. Gray,

Resolved, That the Public Printer be instructed to publish a synopsis of the acts of the present General Assembly, and forward to each member 100 copies of the same.

Mr. Osburn presented the petition of William L. England, praying to be divorced from his wife.

Which was received, the reading thereof dispensed with, and referred to the committee on Religion.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to increase the resources of the Sinking Fund, and to provide for the burning of certain State bonds and coupons.

An act for the benefit of Burr Harrison, and the infant heir of Elizabeth H. Bain, deceased.

An act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836.

An act for the benefit of the estate of Charles H. Webb, deceased.

And that they had disagreed to a bill from this House, entitled, an act for the benefit of Calvin A. Hull, of Kenton county.

That they had passed bills from this House, of the following titles, viz:

An act to facilitate the collection of water rents upon Green and Barren rivers.

An act to establish the town of Rowena on the land of John Leveridge, in Russell county, and for other purposes.

An act concerning the Penitentiary.

An act authorizing Nathaniel Ferguson to peddle goods without license.

An act to incorporate a Turnpike Road Company in the county of Green-up, and for other purposes.

An act to amend an act, entitled, an act to amend the charter of the Owingsville and Big Sandy Turnpike Road Company.

An act to amend the charters of the cities of Louisville and Covington.

An act to incorporate the United Baptist Church of Garnettsville.

An act for the benefit of George Washington Lafayette Bradley, and for other purposes.

An act further to regulate the Fire Company in Shelbyville.

An act to run and re-mark the line between the counties of Montgomery and Morgan.

An act to incorporate the Greensburg Philalethic Society.

An act supplemental to an act, approved January 14, 1845, for the benefit of the Methodist Episcopal Church in Elkton.

An act for the benefit of Stephen and Sarah Skaggs, of Green county.

An act for the benefit of the Sheriff of Laurel county.

An act for the benefit of the Sheriff of Bourbon county, and for other purposes.

An act for the benefit of Elijah McWhorter, Jesse Yantis and John Beatty.

An act for the benefit of the Sheriffs of Owen and Daviess counties.

An act to establish a State road from Canton, in Trigg county, to Mills' Point, in Fulton county.

An act to incorporate the 1st United German Protestant Church, in the City of Louisville.

An act for the benefit of the Sheriff of Meade county.

An act to declare Station Camp Creek navigable, and for other purposes.

An act to amend the revenue laws.

With amendments to the last five named bills.

That they had passed bills of the following titles, viz :

An act to incorporate Saint Paul's Protestant Episcopal Church, in Newport, Kentucky.

An act to amend an act, approved March 2, 1844, establishing a Land Office west of the Tennessee river.

And had received official information from the Governor, that he had

approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Samuel May.

Approved February 5, 1845.

An act to authorize the County Court of Campbell to appoint a Collector of the county levy for 1843, and for other purposes.

An act to amend the several acts concerning the Newport Seminary or Academy, and for other purposes.

An act to incorporate a College in the county of Union, styled the Henry Clay Institute.

An act to amend an act, entitled, an act to provide for a change of venue in the prosecution against James B. Spratts, approved March 2, 1844.

An act to give to holders of Kentucky land warrants further time to have surveys made under the same, and to return plats and certificates of survey to the Register's office.

An act to legalize the proceedings of the 115th Regiment of Kentucky Militia, and for other purposes.

An act prescribing the duties of Agents appointed so sell forfeited lands, and applying the proceeds of sales to the Sinking Fund.

An act to legalize the proceedings of the Courts of Assessment of the 17th and 36th Regiments of Kentucky Militia, and for other purposes.

An act for the benefit of the heirs of William Johnson, deceased.

An act for the benefit of the heirs of James B. Ewers, deceased.

An act for the benefit of C. J. Blackburn.

An act authorizing William Read, Ignatius Greenwell and Roderick Terrell to change the location of a fish dam on the Beech Fork, and for other purposes.

An act for the benefit of Richard Bartlett, a Constable of Henry county, and for other purposes.

An act giving to the Falmouth Bridge Company further time to receive subscription of stock and complete said bridge.

An act to change the county line of Washington and Marion counties.

An act to amend the charter of the Louisville and Elizabethtown Turnpike Company, and Covington and Lexington Turnpike Company.

An act to reduce into one the several acts exempting property from execution, and for other purposes.

An act to extend the jurisdiction of the Trustees of the town of Princeton, in Caldwell county.

An act for the benefit of the sureties of James H. McKee.

An act for the benefit of Marietta H. Estes and her children.

An act concerning the town of Augusta.

An act allowing an additional Constable to the county of Oldham, and for other purposes.

An act to authorize the Surveyor's books of Henderson county to be transcribed, and for other purposes.

An act to change the times of holding the Muhlenburg and Boyle Circuit Courts, and for other purposes.

An act for the benefit of the heirs of John W. Wooldridge, deceased.

Approved February 7, 1845.

An act for the relief of the heirs and legal representatives of John Kek, deceased.

Approved February 8, 1845.

On motion of Mr. Triplett,

Ordered, That leave of absence, for the balance of the session, be granted Mr. Brown.

Mr. Hobbs, from the committee to whom was referred a bill from the Senate, entitled, an act to establish election precincts in Franklin county, reported the same with amendments, which were concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read, "an act to establish an election precinct in Franklin county."

Mr. Porter, from the committee to whom was referred leave to bring in a bill to change the 19th Judicial District, and sundry petitions in relation to said change, asked to be discharged from the further consideration thereof, which was granted.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act prescribing the duties of the Board of Commissioners of the Sinking Fund, and directing that all moneys set apart to constitute a Sinking Fund shall be paid into the Treasury.

An act to establish an election precinct in Spencer county.

An act establishing additional election precincts in Harrison and Crittenden counties.

That they had passed bills from this House, of the following titles, viz:

An act to revive and continue in force the several acts concerning the town of Concord, in Lewis county, and for other purposes.

An act for the benefit of Beverly Robinson.

An act to repeal an act enlarging the powers of the Trustees of the town of Madisonville, and for other purposes.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Religion—A bill divorcing William L. England.

By the committee on Agriculture and Manufactures—A bill for the benefit of mechanics.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred the amendments proposed by the Senate, to a bill from this House, entitled, an act for the benefit of James Angel, reported the same with amendments, which were disagreed to.

The amendments of the Senate were then concurred in.

Mr. Thruston, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of the widow and heirs of Abraham Wells, deceased, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Thruston, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of the devisees and distributees of Sarah C. McLaughlin, deceased.

An act to prescribe the mode of procuring copies of releases executed by the contractors on public works in the State of Kentucky.

An act giving the Mayor of the City of Covington concurrent jurisdiction with Circuit Judges, in cases of Idiots and Lunatics.

An act for the benefit of Daniel P. White, and the heirs of John Y. Taylor, deceased, and Pleasant H. Williams.

An act providing for a change of venue in the prosecutions against Calvin Fairbank.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Thruston, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of the administrator and heirs at law of Thomas Rogers, deceased, reported the same with an amendment, which was concurred in.

The said bill was further amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and for other purposes."

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836, and for other purposes.

An act to establish an election precinct in Spencer county, and for other purposes.

An act establishing election precincts in Harrison and Crittenden counties, and for other purposes.

An act to amend the charter of the Glasgow and Scottsville Turnpike Road.

An act to amend the charter of the City of Lexington.

An act for the benefit of Sarah E. Snead, an infant, of the City of Louisville.

An act to authorize the opening of a State road from Colemansville, in Harrison county, by Falmouth, to Foster's Landing, on the Ohio river, in Bracken county.

An act to revive and continue in force, an act, entitled, an act to establish the town of Stamping Ground, in Scott county, approved January 24, 1834.

An act directing tolls on Turnpike roads to conform to the standard of federal coin.

An act declaring Russell's creek, in Green county, a navigable stream, and for other purposes.

An act to authorize the Trustees of the town of Breathitt to change an alley in said town.

An act concerning joint obligors.

An act authorizing the improvement of Capitol Square.

An act for the benefit of Overton P. Hogan, and the heirs of Henry Case.

An act to amend an act, entitled, an act for the benefit of Eliza Maxfield and children, approved February 17, 1836.

An act providing for a change of venue in the prosecution against Ned, a slave.

An act for the benefit of the owners of mills and other property injured by slackwater.

An act to provide for the removal of suits in Chancery from the Jefferson Circuit Court to the Louisville Chancery Court, and for other purposes.

An act to provide for the running and marking the dividing line between the counties of Campbell and Pendleton, and between the counties of Jefferson and Bullitt, and between the counties of Jefferson and Shelby.

An act to provide a change of venue in the prosecution against Benjamin E. T. Lee.

An act authorizing settlements to be made with the President of the Bank of the Commonwealth and the Board of Commissioners of the Sinking Fund,

An act to increase the resources of the Sinking Fund, and to provide for the burning of certain State bonds and coupons.

An act prescribing the duties of the Board of Commissioners of the Sinking Fund, and directing that all moneys set apart to constitute a Sinking Fund shall be paid into the Treasury.

An act for the benefit of William Haydon, an Idiot.

An act for the benefit of John R. Wharton, and the heirs of William Clements.

An act for the benefit of Nancy Adams, a lunatic.

An act for the benefit of Samuel Hutchason.

An act for the benefit of the Surveyor of Trigg county.

An act for the benefit of Burr Harrison, and the infant heir of Elizabeth H. Bain, deceased, and for other purposes.

An act for the benefit of Johnson Hailey and Randolph Hailey.

An act for the benefit of Daniel Bringle and others.

A resolution in relation to the payment of dividends on the Bank Stock owned by the State.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

Mr. Thruston, from the committee for Courts of Justice, to whom was referred a bill from the Senate, entitled, an act to change the terms of the Logan, Allen, Edmonson and Simpson Circuit Courts, reported the same with an amendment.

Ordered, That said bill and amendment be laid on the table.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to change the place of voting in an election precinct in Henderson county.

An act to change the time of holding the Hart and Green Circuit Courts.

An act for the benefit of Robert Hill, and the heirs and widow of James M. Hill, deceased.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the Port Royal Seminary, in Henry county.

An act to run an re-mark the line between the counties of Montgomery and Morgan.

An act further to regulate the Fire Company in Shelbyville.

An act to facilitate the collection of water rents upon Green and Barren rivers.

An act to repair Lock and Dam No. 1, on Barren river.

An act to incorporate the United Baptist Church at Garnettsville.

An act for the benefit of George Washington Lafayette Bradley, and for other purposes.

An act to amend the charter of the Funk Seminary, in Oldham county.

An act for the benefit of the children of Henry O. Byers.

An act for the benefit of James Squires, of Bourbon county, and for other purposes.

An act to amend an act concerning the town of Newport, and for other purposes.

An act supplemental to an act, approved January 14, 1845, for the benefit of the Methodist Episcopal Church in Elkton.

An act for the benefit of Alexander Graham and others.

An act providing for a change of venue in the prosecution against Morton Pennington.

An act for the benefit of the Sheriff of Bourbon county, and for other purposes.

An act for the benefit of Stephen and Sarah Skaggs, of Green county.

An act to amend an act, entitled, an act to amend the charter of the Owingsville and Big Sandy Turnpike Road Company.

An act for the benefit of the Sheriffs of Owen and Daviess counties.

An act to amend the charters of the cities of Louisville and Covington.

An act for the benefit of the Sheriff of Laurel county.

An act authorizing Nathaniel Ferguson to peddle goods without license.

An act for the benefit of Elijah McWhorter, Jesse Yantis and John Beatty.

An act to establish the town of Rowena on the lands of John Leveridge, in Russell county, and for other purposes.

An act to incorporate the Greensburg Philalethic Society.

An act concerning the Penitentiary.

An act to incorporate a Turnpike Road Company in the county of Greenup, and for other purposes.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

A bill from the Senate, entitled, an act to change the time of holding the Hart and Green Circuit Courts, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Collins, from the committee on Claims, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of Andrew Biggs, deputy Sheriff of Greenup county.

An act authorizing a settlement with John Tilford.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

A bill for the benefit of Jonathan Davis, was read a second time.

Ordered, That said bill be engrossed and read a third time.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to amend the revenue laws.

An act to incorporate the 1st United German Protestant Church, in the City of Louisville.

An act to establish a State road from Canton, in Trigg county, to Mills' Point, in Fulton county.

An act for the benefit of the Sheriff of Meade county.

Were taken up, twice read, and concurred in.

The amendments proposed by the Senate, to a bill from this House, entitled, an act to declare Station Camp creek navigable, and for other purposes, were taken up, twice read, and disagreed to.

Bills from the Senate of the following titles, viz:

An act for the benefit of Robert Hill, and the heirs and widow of James M. Hill, deceased.

An act to change the place of voting in a precinct in Henderson county, and for other purposes.

An act to incorporate Saint Paul's Protestant Episcopal Church, in Newport, Kentucky.

An act to amend an act, approved March 2, 1844, establishing a Land Office west of the Tennessee river.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, asking leave to withdraw their report announcing their disagreement to the amendments proposed by this House, to a bill from the Senate, entitled, an act to place a part of the State road leading from Princeton to Centreville, in Caldwell county, under the power of the County Court of said county, which was granted, and the same was withdrawn.

That they had passed a bill, entitled, an act to provide for taking the depositions of Attorneys at law, practising in this Commonwealth.

That they recede from their amendment proposed to a bill from this House, entitled, an act to declare Station Camp creek navigable, and for other purposes.

That they had passed bills from this House, of the following titles, viz:

An act divorcing William L. England.

An act for the appropriation of money.

With amendments to the last named bill.

The said amendments were then taken up, twice read, and concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. R. S. Todd—A bill to amend the law in relation to keeping the public roads in repair, and for other purposes.

By the committee on Religion—A bill to divorce Philemon Sanders.

By the committee on Internal Improvement—A bill supplemental to an act to amend the charter of the Glasgow and Scottsville Turnpike Road Company, and for other purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate announcing that they had passed bills of the following titles, viz:

An act to repeal the 10th section of an act, entitled, an act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836.

An act allowing an additional Justice of the Peace to Madison county, and for other purposes.

An act regulating the terms of the Logan Circuit Court.

That they had concurred in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to place a part of the State road leading from Princeton to Centreville, in Caldwell county, under the power of the County Court of said county.

An act for the benefit of the administrator and heirs at law of Thomas Rogers, deceased.

That they had passed a bill and resolution from this House, of the following titles, viz:

An act to amend the law in relation to keeping public roads in repair, and for other purposes.

A resolution in relation to the sixth census of the United States.

Mr. Haggard moved the following resolution, viz:

Resolved, That the Clerk of the House of Representatives be authorized to return to John C. Mason all the papers which were offered by him to be read in evidence, in the case of the contested election between said Mason and John A. Trumbo, and which were rejected, and not used or read in the case: *Provided, however*, That those papers only shall be delivered which were procured at said Mason's cost, and which were not used or read but rejected by the committee that investigated the case: *And, provided further*, That said Mason, if required by said Trumbo, shall deposit the said papers in the office of the Circuit Court Clerk of Bath county.

Which was adopted.

Mr. Chambers, from the committee on Banks, to whom was referred a bill from the Senate, entitled, an concerning the Northern Bank of Kentucky, reported the same with an amendment, which was concurred in.

Mr. T. Marshall moved to lay said bill, as amended, on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. Marshall and Desha, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Ballingal,	Friend,	Humphreys,
Bradley,	Gale,	Imboden,
Cleaveland,	Garrard,	Lecompte,
Corum,	Graves,	Marshall, T.
Crow,	Hardy,	Mason,
Dallam,	Haskin,	Moore,
Desha,	Heady,	Shawhan,
Dudley,	Hendrix,	Towles—24.

Those who voted in the negative, were—

Mr. Speaker,	Gore,	Parker,
Messrs. Ballinger,	Gray, R. B.	Porter,
Barnett,	Gray, W. M.	Prewitt,
Beard,	Grigsby,	Runyon,
Bowman,	Haggard,	Russell,
Brasher,	Hambleton,	Shacklett,
Burnam,	Harris,	Shanklin,
Cessna,	Harrison,	Speed,
Chambers,	Hobbs,	Stanley,
Chesnut,	Hopkins,	Stone,
Clark, W. J.	Johnson,	Terrill,
Collins,	Jones, D. E.	Thornton,
Copelin,	Jones, J.	Thruston,
Cox, A. H.	Kalsus,	Todd, J. F.
Dickey,	Lair,	Todd, R. S.
Early,	Lawless,	Tully,
Ewing,	Leslie,	Wheat,
Ford,	Marshall, W. C.	Whitaker,
Gano,	McHenry,	Wright—59.
Glenn,	McRery,	

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hardy asked leave to withdraw the petition of sundry citizens of Barren, Allen and Monroe counties, praying for the formation of a new county, which was granted, and the petition withdrawn.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the estate of Charles H. Webb, deceased, and for other purposes.

An act giving the Mayor of the City of Covington concurrent jurisdiction with Circuit Judges, in cases of Idiots and Lunatics.

An act authorizing a settlement with John Tilford.

An act to change the place of voting in a precinct in Henderson county.

An act to incorporate Saint Paul's Protestant Episcopal Church, in Newport, Kentucky.

An act for the benefit of Daniel P. White, and the heirs of John Y. Taylor, deceased, and Pleasant H. Williams.

An act to amend the charter of the Louisville and Portland Canal Company.

An act for the benefit of Andrew Biggs, deputy Sheriff of Greenup county.

An act to change the time of holding the Hart and Green Circuit Courts.

An act for the benefit of the devisees and distributees of Sarah C. McLaughlin, deceased.

An act prescribing the mode of procuring copies of releases executed by the contractors on public works in the State of Kentucky.

An to place a part of the State road leading from Princeton to Centreville, in Caldwell county, under the power of the County Court of said county.

An act to amend an act, approved March 2, 1844, establishing a Land Office west of the Tennessee river.

And bills and a resolution which originated in this House, of the following titles, viz:

An act to repeal an act enlarging the powers of the Trustees of the town of Madisonville, and for other purposes.

An act to revive and continue in force the several acts concerning the town of Concord, in Lewis county, and for other purposes.

An act for the benefit of the Sheriff of Meade county.

An act divorcing William L. England.

An act to declare Station Camp Creek navigable, and for other purposes.

An act to amend the revenue laws.

An act for the benefit of James Angel, and Burnley D. Smith.

An act for the benefit of Beverly Robinson.

A resolution in relation to the sixth census of the United States.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

Bills from the Senate of the following titles, viz:

An act regulating the terms of the Logan Circuit Court.

An act allowing an additional Justice of the Peace to Madison county, and for other purposes.

An act to repeal the 10th section of an act, entitled, an act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Dudley asked leave to withdraw the petition, &c., relating to the establishment of Fulton county, which was granted, and the same were withdrawn.

A message was received from the Senate, announcing their concurrence

in the amendment proposed by this House, to a bill from the Senate, entitled, an act concerning the Northern Bank of Kentucky.

And that they had passed a bill from this House, entitled, an act supplemental to an act, to amend the charter of the Glasgow and Scottsville Turnpike Road Company, and for other purposes, with amendments.

The said amendments were then taken up, twice read, and concurred in.

Mr. Humphreys asked leave to withdraw the petition, papers, &c., of George Grace, in relation to the Surveyor of Trigg county, which was granted, and the same were withdrawn.

Mr. Dallam, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the 1st United German Protestant Church, in the City of Louisville.

An act to establish a State road from Canton, in Trigg county, to Mills' Point, in Fulton county.

An act to amend the law in relation to keeping the public roads in repair, and for other purposes.

An act for the benefit of James G. Hardy.

An act for the appropriation of money.

And bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the administrator and heirs at law of Thomas Rogers, deceased.

An act for the benefit of the widow and heirs of Abraham Wells, deceased, of Whitley county.

An act providing for a change of venue in the prosecution against Calvin Fairbank.

An act for the benefit of Robert Hill, and the heirs and widow of James M. Hill, deceased.

An act to repeal the 10th section of an act, entitled, an act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836.

An act regulating the terms of the Logan Circuit Court.

An act allowing an additional Justice of the Peace to Madison county, and for other purposes.

An act concerning the Northern Bank of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Dallam inform the Senate thereof.

The Speaker having retired from the Chair, Mr. Sterett moved the following resolution, viz:

Resolved, That the thanks of this House are respectfully tendered to the Hon. Charles S. Morehead, for the dignified and impartial manner with

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which he has discharged the responsible duties devolving on him during the present session.

Which was unanimously adopted.

The Clerk have retired from the table, Mr. Crow moved the following resolution, viz:

Resolved, That the thanks of this House are due to Thomas J. Helm, our Clerk, for his accomodating, faithful and prompt manner in discharging the arduous duties of his office the present session.

Which was unanimously adopted.

Mr. Crow moved the following resolution, viz:

Resolved, That the thanks of this House are tendered to the Assistant Clerk, Sargeant-at-Arms and Doorkeeper, for the prompt manner they have discharged their several duties during the present session.

Which was unanimously adopted.

Mr. Hobbs moved the following resolution, viz:

Resolved, That the thanks of this House be cordially tendered to the Ministers of the Gospel, who have each day, on the opening of the House, addressed the Supreme Ruler of the Universe by prayer for our good.

Which was unanimously adopted.

A message was received from the Governor, by Mr. Hardin, Secretary of State, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act the better to protect the purity of elections.

An act to regulate the weight of grain.

An act to allow an additional Justice of the Peace to Barren county, and for other purposes.

An act to change the venue in the case of John Cook, of the City of Louisville, charged with arson.

An act to authorize a change of venue in the case of James Hildreth.

An act for the benefit of Martha Beard, committee of Martha Ann Beard.

An act to amend an act, entitled, an act for the benefit of Paulina G. Rodes and her children.

An act for the benefit of Thomas Parker, Alexander Bruce and John Johnson, late Sheriffs of Lewis county.

An act to reduce the number of Justices of the Peace and Constables of Adair county, and for other purposes.

An act to amend an act incorporating the town of Paducah, and for other purposes.

Approved February 8, 1845.

An act for the benefit of John B. McIlvaine.

Approved February 10, 1845.

An act to incorporate a Turnpike Road Company in the county of Greenup, and for other purposes.

An act to establish the town of Rowena on the lands of John Leveridge, in Russell county, and for other purposes.

An act concerning the Penitentiary.

An act to incorporate the Greensburg Philalethic Society.

An act to amend an act, entitled, an act to amend the charter of the Owingsville and Big Sandy Turnpike Road Company.

An act for the benefit of Stephen and Sarah Skaggs, of Green county.

An act for the benefit of Elijah McWhorter, Jesse Yantis and John Beaty.

An act authorizing Nathaniel Ferguson to peddle goods without license.

An act for the benefit of the Sheriff of Laurel county.

An act to amend the charters of the cities of Louisville and Covington.

An act for the benefit of the Sheriffs of Owen and Daviess counties.

An act supplemental to an act, approved January 14, 1845, for the benefit of the Methodist Episcopal Church in Elkton.

An act for the benefit of the Sheriff of Bourbon county, and for other purposes.

An act for the benefit of Alexander Graham and others.

An act providing for a change of venue in the prosecution against Morton Pennington.

An act to amend an act concerning the town of Newport, and for other purposes.

An act for the benefit of James Squires, of Bourbon county, and for other purposes.

An act for the benefit of the children of Henry O. Byers.

An act to amend the charter of the Funk Seminary, in Oldham county.

An act to incorporate the United Baptist Church of Garnettsville.

An act for the benefit of George Washington Lafayette Bradley, and for other purposes.

An act to facilitate the collection of water rents upon Green and Barren rivers.

An act to repair Lock and Dam No. 1, on Barren river.

An act further to regulate the Fire Company in Shelbyville.

An act to run an re-mark the line between the counties of Montgomery and Morgan.

An act for the benefit of the Port Royal Seminary, in Henry county.

An act for the benefit of James Angel and Burnley D. Smith.

An act for the benefit of Beverly Robinson.

An act to amend the revenue laws.

An act to declare Station Camp Creek navigable, and for other purposes.

An act divorcing William L. England.

An act for the benefit of the estate of Charles H. Webb, deceased, and for other purposes.

An act for the benefit of the Sheriff of Meade county, and for other purposes.

An act to revive and continue in force the several acts concerning the town of Concord, in Lewis county, and for other purposes.

An act to repeal an act enlarging the power of the Trustees of the town of Madisonville, and for other purposes.

An act to incorporate the first United German Protestant Church in the City of Louisville.

An act for the appropriation of money.

An act to establish a State road from Canton, in Trigg county, to Mills' Point, in Fulton county.

An act to amend the law in relation to keeping public roads in repair, and for other purposes.

An act for the benefit of James G. Hardy.

Resolution in relation to the sixth census of the United States.

Approved February 10, 1845.

A message was received the Senate, announcing that they had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Henry Jones.

An act to change the name of William Henry Rice, of Boyle county, to that of William Henry Miller.

An act for the benefit of Susan R. Gist.

An act for the benefit of the heirs of Thomas Henry, deceased.

An act for the benefit of the Kentucky Institution for the Education of the Blind.

A resolution providing for a final settlement of the concerns of the Old Bank of Kentucky.

Approved February 8, 1845.

An act to reduce into one the several acts concerning Common Schools, and more effectually to establish the same in this Commonwealth.

Approved February 10, 1845.

An act for the benefit of John R. Wharton, and the heirs of William Clements.

An act for the benefit of Nancy Adams, a lunatic.

An act for the benefit of William Haydon, an Idiot.

An act for the benefit of Burr Harrison, and the infant heir of Elizabeth H. Bain, deceased, and for other purposes.

An act for the benefit of Daniel Bringle and others.

An act for the benefit of Johnson Hailey and Randolph Hailey.

An act for the benefit of the Surveyor of Trigg county.

An act for the benefit of Samuel Hutchason.

An act prescribing the duties of the Board of Commissioners of the Sinking Fund, and directing that all moneys set apart to constitute a Sinking Fund shall be paid into the Treasury.

An act to increase the resources of the Sinking Fund, and to provide for the burning of certain State bonds and coupons.

An act to provide for the removal of suits in Chancery from the Jefferson Circuit Court to the Louisville Chancery Court, and for other purposes.

An act for the benefit of the owners of mills and other property injured by slackwater.

An act to provide a change of venue in the prosecution against Benjamin E. T. Lee.

An act authorizing settlements to be made with the President of the Bank of the Commonwealth and the Board of Commissioners of the Sinking Fund.

An act to provide for the running and marking the dividing line between the counties of Campbell and Pendleton, and between the counties of Jefferson and Bullitt, and between the counties of Jefferson and Shelby.

An act to amend an act, entitled, an act for the benefit of Eliza Maxfield and children, approved February 17, 1836.

An act for the benefit of Overton P. Hogan, and the heirs of Henry Case.

An act providing for a change of venue in the prosecution against Ned, a slave.

An act authorizing the improvement of Capitol Square.

An act concerning joint obligors.

An act directing tolls on Turnpike roads to conform to the standard of federal coin.

An act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836, and for other purposes.

An act establishing additional election precincts in Harrison and Crittenden counties, and for other purposes.

An act to establish an election precinct in Spencer county, and for other purposes.

An act for the benefit of Sarah E. Snead, an infant, of the City of Louisville.

An act to authorize the opening of a State road from Colemansville, in Harrison county, by Falmouth, to Foster's Landing, on the Ohio river, in Bracken county.

An act to amend the charter of the City of Lexington.

An act to amend the charter of the Glasgow and Scottsville Turnpike Road.

An act to authorize the Trustees of the town of Breathitt to change an alley in said town.

An act declaring Russell's creek, in Green county, a navigable stream, and for other purposes.

An act to revive and continue in force, an act, entitled, an act to establish the town of Stamping Ground, in Scott county, approved January 24, 1834.

An act to place a part of the State road leading from Princeton to Centreville, in Caldwell county, under the power of the County Court of said county, and for other purposes.

An act to amend an act, approved March 2, 1844, establishing a Land Office west of the Tennessee river.

An act to prescribe the mode of procuring copies of releases executed by the Contractors on public works in the State of Kentucky.

An act for the benefit of the devisees and distributees of Sarah C. McLaughlin, deceased.

An act to amend the charter of the Louisville and Portland Canal Company.

An act for the benefit of Daniel P. White, and the heirs of John Y. Taylor, deceased, and Pleasant H. Williams.

An act to incorporate Saint Paul's Protestant Episcopal Church, in Newport, Kentucky.

An act to change the place of voting in a precinct in Henderson county, and for other purposes.

An act for the benefit of Andrew Biggs, Deputy Sheriff of Greenup county.

An act to change the time of holding the Hart and Green Circuit Courts.

An act authorizing a settlement with John Tilford.

An act giving the Mayor of the City of Covington concurrent jurisdiction with Circuit Judges in cases of idiots and lunatics.

An act concerning the Northern Bank of Kentucky.

An act allowing an additional Justice of the Peace to Madison county, and for other purposes.

An act for the benefit of the administrator and heirs at law of Thomas Rogers, deceased, and for other purposes.

An act for the benefit of Robert Hill, and the heirs and widow of James M. Hill, deceased.

An act providing for a change of venue in the prosecutions against Calvin Fairbank.

An act regulating the terms of the Logan Circuit Court.

An act to repeal the 10th section of an act, entitled, an act to revive the act incorporating the Union White Sulphur Springs Company, approved 11th February, 1836.

An act for the benefit of the widow and heirs of Abraham Wells, deceased, of Whitley county.

A resolution in relation to the payment of dividends on the Bank stock owned by the State.

Approved February 10, 1845.

A message was received from the Senate, by Mr. Peyton, announcing that they had closed their legislative business, and were now ready to close the present session of the General Assembly by an adjournment, on their part, without day; and had appointed a committee to act in conjunction with a committee on the part of this House to wait on the Governor and inform him of the proposed adjournment of the General Assembly, and to know if he had any other communication to make.

Whereupon Messrs. Chambers, Ford and Hardy were appointed a committee on the part of this House.

Ordered, That Mr. Chambers inform the Senate thereof.

The committee then retired, and in a few minutes returned, when Mr. Chambers, from said committee, reported that the joint committee had performed the duty assigned them, and were informed by the Governor, that having, from time to time, during the present session, communicated his views to the General Assembly, he had now no further communication to make.

Whereupon the Speaker having delivered a congratulatory and valedictory address, adjourned the House *sine die*.

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INDEX

TO THE

HOUSE OF REPRESENTATIVES' JOURNAL.

 THE FIGURES REFER TO THE PAGES.

- Abbott, Joseph, a bill for the benefit of the heirs of 111
Abduction of slaves, a bill to prevent 33
Academy, Newport, an act to amend the several acts concerning the 128,
198, 272, 294, 311, 346
Accounts, a bill to change the law on the subject of proving 111, 216
Merchant's open, a bill to amend the law in relation to 59, 95, 121
of administrators and executors, a bill to amend the law reg-
ulating the settlement of 59, 216
of guardians, a bill to amend the acts regulating the settle-
ment of the accounts of 216
Adair county, a bill to add a part of to Casey 39, 54, 75, 94, 99
—see Constables and Justices.
an act for the benefit of certain school districts in 176, 220,
245, 253, 278
petition of citizens of 194
Adams, Nancy, an act for the benefit of 278, 342, 350, 360
Addison, a slave, a bill granting a change of venue to 87, 104, 132, 166,
182
Adjournment of the General Assembly, resolution for the 49, 56, 65
Administration and settlement of estates—see Estates.
Administrators and executors—see Accounts.
Advertising lands to be sold for taxes, a bill to change the mode of 111,
138, 231
Agent of the Old Bank of Kentucky, annual report of the 108
Agents appointed to sell forfeited lands, an act prescribing the duties
of, and applying proceeds of sales to the Sinking Fund 227,
291, 311, 346

Agriculture and Manufactures, committee on appointed	46
Alabama, resolutions of the Legislature of	327
Allen Circuit Court—see Courts, Circuit.	
Allen county, petition of citizens of	58, 91, 123, 123, 136, 355
remonstrance of citizens of	143
Allen, John, a bill to allow, to build a dam across the South Fork of Kentucky river,	111, 179, 245, 253, 269
Allen, Joseph N., an act providing a change of venue for	90, 96, 107, 135,
167, 195	
Alsop, Benjamin, a bill to legalize the appointment of, as Constable in Daviess county	73, 88, 104, 166, 182
Amateur Band of Danville, a bill to incorporate the	234
Anderson Circuit Courts—see Courts, Circuit.	
Angel, James, a bill for the benefit of	95, 102, 159, 198, 348, 356, 359
Angel, John, petition of	75
Annual Conference of the Methodist Episcopal Church, use of Hall allowed to	226
Applegate, Sarah, petition of	90, 246
Appropriation of money, a bill for the	317, 321, 322, 323, 324, 325, 326,
353, 357, 360	
Artillery, Bourbon, a bill to amend an act incorporating the	150
Danville, a bill for the benefit of	179, 278, 289, 310, 331
Asbury, J., a bill for the benefit of	179, 245, 253, 269
Ashbrook, James C., an act for the benefit of the widow of	176, 219, 232,
246	
Assembly, General, resolution for the adjournment of the	49, 56, 65
Assessment, Courts of, an act to legalize the proceedings of the, of	17th
and 36th Regiments	200
Assessors of taxable property, a bill to amend the law in relation to the payment of	89
Assistant clerk—see Clerk.	
Asylum, Lunatic, and Transylvania University, resolution to appoint committee to examine	33, 54, 67, 85
committee to examine appointed	89
report of committee to examine	305
—see Legislative Documents.	
Asylum, Lunatic, annual report of the Trustees of the	108
a bill for the benefit of the	306, 336
Atherton, Stephen, a bill for the benefit of	111, 126, 226, 253, 269
petition of	47
Attorneys at law, an act to provide for taking the depositions of	353
Auditor, First, annual report of the	31—see Legislative Documents.
Auditor, Second, annual report of the	32—see Legislative Documents.
Augusta, a bill to amend the laws of the town of	60, 236, 279, 310, 346
Bailey, Daniel, petition of	58
a bill for the benefit of	87, 127, 132, 166, 183
Bailey, James, a bill for the benefit of, and others	248
Bail Law, a bill to amend the, in civil cases	150, 216
Bain, Elizabeth H., an act for the benefit of the heirs of, and others	227,
304, 332, 344, 350, 360	

- Baling, Isham, a bill for the benefit of, and W. P. Payne 35
Ballard county, petition of citizens of, 58—see Constables.
Ballingal, David, appeared and took his seat 31
Ballinger, Gabriel L., a bill for the benefit of 50
Band, Danville Amateur, a bill to incorporate the 234
Bank, Commonwealth's, an act to extend the charter of 57, 64, 71, 77, 79,
85
an act providing for a settlement with the Presi-
dent of the, &c. 286, 335, 347, 350, 361
report of the President of the 52
Louisville, a bill to amend the charter of the 221
Northern, of Kentucky, an act concerning the 184, 220, 265, 354,
355, 357, 362
Old, of Kentucky, annual report of the agent of the 108
resolution providing for the settlement of the
affairs of the 268, 312, 324, 336, 360
State, a bill to establish a 153
Banks, committee on, appointed 46
report of the committee on, 228—see Legislative Documents.
Bank stock owned by the State, resolution in relation to the payment
of dividends on the 245, 342, 350, 363
Baptist Church—see Church.
Bardstown, a bill for the benefit of the mechanics of, and Nelson county 53,
62, 78, 94, 98
an act to amend the charter of 111, 138, 164, 197, 231, 237
petition of citizens of 236
Bardstown Female Seminary, an act to incorporate the 176, 219, 232, 246
Barkshire, Jeremiah, petition of 33, 71
Barren county, a bill regulating the books of the Surveyor of 39, 110
petition of citizens of 123, 128, 194, 355
Barren county—see Justices.
Barren river, a bill to repair Lock No. 1, on 73, 240, 273, 332, 351, 359
—see Water Power and Rents.
—see Tolls.
Bartlett, Richard, an act for the benefit of 195, 291, 305, 311, 346
Bath county, petition of citizens of 136
Batistasia, Fortunati, petition of 75, 86
Batsil, Edmund, petition of 47, 66
Beal, Fanny, a bill for the benefit of 50, 62, 170, 245, 253, 269
Bear Creek and Little Barren river, an act declaring navigable streams 176,
199, 255, 286, 305
Beard, John R., petition of 165, 246
Beard, Martha, petition of 122
a bill for the benefit of 196, 294, 336, 358
Beaty, John, a bill for the benefit of, and others 247, 345, 351, 359
Begley, Hiram, a bill for the benefit of 84, 88, 127, 132, 166, 184
Benton, a bill to incorporate the town of 35, 41, 74, 94, 98
Berry, Preston C., petition of 105, 196
Berry, William and Mary, a bill for the benefit of 88, 110, 127, 166, 183
Biggs, Andrew, an act for the benefit of 176, 199, 352, 356, 362
Big Sandy and Owingsville Road Company—see Road Company.

- Birkhead, Jesse, petition of 177, 246, 247
 Blackburn, C. J., an act for the benefit of 195, 291, 311, 346
 Blandville, a bill to incorporate the town of 35, 62, 85, 107, 117
 Bledsoe, Francis, a bill for the benefit of 60, 83, 96
 Blind—see Institution for the Education of
 Board of Commissioners of the Sinking Fund, an act authorizing settle-
 ments to be made with the, and the President of the Com-
 monwealth's Bank, 286, 335, 347, 350, 361
 an act prescribing the duties of the, and providing for the pay-
 ment of the Sinking Fund money into the Treasury, 286, 334,
 343, 350, 361
 Board of Internal Improvement, annual report of the 82
 —see Legislative Documents.
 resolution calling on the to report ex-
 penditures 71
 communication of 116
 —see Legislative Documents.
 Boats, Flat—see Flat Boats.
 Bodley, H. I., and others, petition of 78
 Bolt, Isaac, petition of 75
 a bill for the benefit of 95, 127, 166, 183
 Bona fide occupants of land, a bill for the relief of 89
 Bonds, State, an act to provide for burning certain, and to increase the
 resources of the Sinking Fund 285, 333, 344, 347, 350, 361
 Booker, Sally B., petition of 32
 a bill for the benefit of 77, 176, 197, 231, 238
 Books of the Surveyor of Barren county, a bill regulating the 39
 Boone county, a bill for the benefit of the mechanics of 60, 72
 —see Justices.
 —see Election Precincts.
 Borin, Tarlton, petition of 128
 a bill granting a change a change of venue to 225, 278, 286,
 295
 Bourbon Artillery, a bill to amend an act incorporating the 150
 Bourbon county—see Sheriffs.
 Bowlinggreen, a bill for the benefit of the mechanics and others of 40, 49,
 74, 94, 98
 petition of Trustees of, and others 292
 Bowlinggreen Manufacturing and Navigation Company, a bill to in-
 corporate the 151
 Boyle Circuit Court—see Courts, Circuit.
 Bracken county, petition of citizens of 58, 279
 Bradley, George Washington Lafayette, a bill for the benefit of 247, 345,
 351, 359
 Breathitt, an act to authorize the Trustees of the town of to change an
 alley 236, 342, 349, 362
 an act to change the name of the town of 90, 96, 108, 122
 Bridge Company, Falmouth, an act giving further time to the to receive
 subscription of stock 227, 291, 311, 346
 Hartford, a bill in relation to the 61, 110, 178, 245, 253, 265
 Nolin, a bill for benefit of 269

INDEX.

369

- Bringle, Daniel, an act for the benefit of 278, 342, 350, 360
 Brown, H. B., permitted to take a seat within the bar of the House 41
 Brown, Thomas D., leave of absence granted to 347
 Bruce, Alexander, a bill for the benefit of, and others 248, 332, 336, 358
 Buckley, Wm. W., petition of, and others 176
 Bullitt and Jefferson counties, an act to run the line between 39, 294, 343
 350, 361
 Burch, Nancy Jane, petition of 144
 Burksville, a bill to incorporate the town of 35
 a bill to appoint a Police Judge in 138, 215
 Burnes, Archibald, petition of 165, 246
 Bussing, John, petition of 176
 Butler county—see Election Precincts.
 Butler, Nathan, a bill for the benefit of 34, 94, 128, 132, 152
 Butler, William, a bill for the benefit of 53, 83, 97, 107, 118
 Byers, Henry O., a bill for the benefit of the children of 111, 216, 332, 351,
 359
- Caines, Charles, petition of 222
 Caldwell County Court—see Courts, County.
 Caldwell county petition of citizens of 32, 36, 58, 116, 128, 186, 194, 269
 remonstrance of citizens of 98, 200
 —see Election Precincts and Justices.
 Calloway county, petition of citizens of 48
 —see Sheriffs.
 Campbell and Pendleton counties, an act to run the line between, 294, 343,
 250, 361
 Campbell County Court—see Courts, County.
 Campbell county, a bill to incorporate a Turnpike Road Company in 137
 petition of citizens of 294
 —see Road Law.
 Campbell, William, nominated for Doorkeeper 6
 voted for 6, 7, 8
 elected Doorkeeper 9
 thanks of House returned to 358
 Canal Company, Louisville and Portland, an act to amend the charter of
 the 275, 287, 344
 Capital, a bill to move the to Louisville 151
 Capital punishment, a bill to abolish as to slaves, &c., 153
 Capitol square, an act for the improvement of the 294, 343, 349, 361
 Cardwell, Jacob, petition of 128
 Carlise, Wm. B., a bill for the benefit of, and A. S. Lewis, 34, 87, 138, 176,
 186, 193
 Carothers, Robert, petition of 86, 123
 Carroll county, petition of citizens of 37
 Carter county, petition of citizens of 51, 144
 —see Election Precincts and Justices.
 Casey County Court—see Courts, County.
 Casey county, a bill to add a part of Adair county to 54, 75, 94, 99
 —see Justices.

- Cates, Nancy, petition of 185
 Cates, Owen G., elected President of the Commonwealth's Bank 163
 Census, resolution in relation to the sixth 344, 354, 356, 360
 Centre Point Meeting House, a bill to incorporate the Trustees of the 55,
 97, 102, 166, 184
 Cessna, Jonathan F., a bill for the benefit of 112
 Chancery, a bill to regulate the duties and compensation of Masters in 50
 Chancery Court of Louisville, a bill to provide for the removal of suits
 from the Jefferson Circuit Court to the 309, 310, 343, 350, 361
 Chancery proceedings, a bill to amend the law regulating 34, 40, 87, 121
 Chancery suits, an act to provide for the removal of from the Jefferson
 Circuit to the Louisville Chancery Court 309, 310, 343, 350,
 361
 Chancery term, a bill to establish a separate in the county of Washington 84
 Change of venue, a bill to amend the law in relation to 150
 Chiles, Fleming H., a bill for the benefit of 34, 95, 128, 132, 152
 Chiles, Garland, a bill for the benefit of 34, 95, 128, 132, 152
 Chrisman, Micah T., nominated for Assistant Clerk 28
 votes for 29, 29
 Christian County Court—see Courts, County.
 Christian county, petition of citizens of 75
 Church, Baptist, petition of Trustees of the Friendship 33
 Methodist Episcopal of Elkton, a bill for the benefit of the 34, 72,
 97, 108, 118
 Methodist Episcopal of Elkton, a bill to amend the act for the
 benefit of the 121, 216, 345, 351, 359
 Old School Presbyterian, at Tompkinsville, a bill to incorporate
 the 53, 62, 97, 102, 166, 183
 Otter creek, petition of the 185
 Presbyterian, petition of Sharon 58
 Presbyterian, a bill to incorporate the Sharon 154, 226, 253, 269
 Saint Paul's Protestant Episcopal, an act to incorporate the, in
 Newport 345, 352, 355, 362
 Trinity, petition of the Trustees of the 136
 Trinity, a bill to incorporate the in Covington 196
 United Baptist, a bill to incorporate the of Garnettsville 239, 345,
 351, 359
 United German Protestant, petition of the First of Louisville 128
 United German Protestant, a bill to incorporate the First of
 Louisville 239, 345, 352, 357, 360
 Circuit and County Court Clerks—see Clerks.
 Circuit Courts—see Courts, Circuit.
 Claims, committee on, appointed 44
 Clay county, petition of citizens of 32
 Clayton, John W., remonstrance of 115
 Clayton, Nancy, petition of, 58, 169
 Clements, William, an act for the benefit of the heirs of, and John R.
 Wharton 286, 343, 350, 360
 Clerk, Assistant, resolution to elect 9

Clerk, Assistant, resolution in relation to pay of, &c. election of	9, 12, 13 27, 30
Clerk, resolution in relation to pay of	9, 12, 13
Clerks, a bill to regulate certain duties of	60, 89, 102, 184, 197, 231, 237
of Circuit and County Courts, a bill to authorize the, to issue <i>subpoena duces tecum</i> , without special order of Court	61, 95
of County Courts, authorizing the, to take the affidavits of the age of persons applying for marriage license	73, 94
of County Courts, a bill regulating certain duties of, and Com- missioners of tax	89, 95, 127, 132, 166, 184
of the Clinton Circuit and County Courts, a bill for the benefit of the	50, 55, 67
of the Floyd Circuit Court, an act for the benefit of the	85, 108, 122
of the General Court and Circuit Court of Jefferson and the Louisville Chancery Court, a bill requiring certain duties of the	216
Clinton county—see Election Precincts.	
Cloverport Seminary—see Seminary.	
Coal Company, a bill to amend the law incorporating the Louisville	39
Coke, Lucy G., a bill for the benefit of	112, 138, 144, 185, 193
Collection of Water Rents upon Green and Barren rivers, a bill to fa- cilitate the	121
College, Cumberland, an act to amend the act amending the charter of	78,
	83, 94, 104
Colleges, Louisville, a bill for the benefit of the	216
Collins, Richard, added to committee on the Sinking Fund	152
Collins, Susan B., an act for the benefit of the heirs of, and others	236,
	312, 336
Columbia, petition of citizens of the town of	143
remonstrance of citizens of	144
Commissioners of tax, a bill requiring certain duties of, and County Court Clerks	89, 95, 127, 132, 166, 184
Committees, standing, appointed—	
on Agriculture and Manufactures	46
on Banks	46
on Claims	44
on Courts of Justice	44
on Education	45
on Enrollments	47
on Expenditures of the Board of Internal Im- provements	46
on Internal Improvement	45
on Library	47
on Military Affairs	45
on the Penitentiary	46
on Privileges and Elections	44
on Propositions and Grievances	44
on Public Offices	47
on Religion	45
on the Sinking Fund	47
on Ways and Means	45

- Common Schools, a bill to amend the act to amend the law establishing 39,
130
Common Schools, an act to reduce into one the several acts concerning,
and more effectually to establish 292, 295, 306, 336, 360
Common Schools, a bill for the benefit of the 6th district of Fayette
county 89
Common Schools in Greenup county, a bill for the benefit of the 53
Commonwealth's Bank, report of the President of the 52
an act to extend the charter of the 57, 64, 71, 77, 79,
85
Concord, a bill to revive the acts concerning the town of 239, 347, 356, 360
Conference, Annual, of the Methodist Church, use of Hall allowed 226
Constables, a bill defining more particularly the duties of, and Sheriffs 84
an act to amend an act in relation to 115, 132, 197, 232, 246
in Adair, a bill to reduce the number of 234, 332, 336, 358
in Ballard, a bill to allow 110, 127, 132, 166, 184
to Johnson, a bill to allow 75, 82, 94, 104
to Letcher, an act to allow 236, 321, 338
to Oldham, an act to allow 185, 267, 294, 311, 347
to Pulaski, a bill to allow 61, 83, 97, 107, 118
to Whitley, a bill to allow 40, 49, 75, 82, 94, 146, 151
Constable's district, a bill to extend the, in the town of Louisa 137
Constitution of Kentucky, a bill to take the sense of the people as to
the necessity of calling a convention to alter the 50, 99
Contractors on public works, an act prescribing the mode of obtaining
copies of releases executed by the 122, 198, 348, 356, 362
Contractors on Licking river, petition of 143, 178
Convention, a bill to take the sense of the people as to the necessity
of calling a, to alter the Constitution 50, 99
Conveyances of land by Sheriffs, a bill further to regulate 61
Convict labor, a bill to protect mechanics against 40
Cook, John, petition of 164
a bill granting a change of venue to 234, 294, 336, 358
Corn, oats, &c., a bill to regulate the measurement of by weight per
bushel 40
County Courts—see Courts, County.
County of _____, a bill to establish 221, 262
Court, General, a bill providing for a special term of the, for revenue
purposes 311
Court, Louisville Police, a bill to explain and amend the law establish-
ing the 84
Courts, Circuit, a bill requiring the Judges of to hold special terms, &c. 40
a bill to abolish and establish District Courts 131, 187, 252,
255
of Allen, a bill to change the terms of the 160, 198, 350
of Anderson, a bill to change the time of the 151
of Boyle, an act to change the time of the 164, 199, 277,
289, 311, 347
of Edmonson, a bill to change the terms of the 160, 198, 350
of Floyd, a bill for the benefit of the Clerk of the 85, 96

- Courts, Circuit, of Green, an act to change the time of the 278, 342, 350,
352, 356, 362
of Hart, an act to change the time of the 278, 342, 350,
352, 356, 362
of Hopkins, a bill to change the time of holding the
Chancery term of the 137
of Jefferson, a bill to alter the times of the 60
of Jefferson, a bill to remove Chancery suits from, to
the Louisville Chancery Court 309, 310, 343,
350, 361
of Logan, a bill to change the terms of the 160, 198, 350,
354, 356, 357, 362
of Marion, a bill to allow a Chancery and Criminal
term to the 154, 184, 198, 231, 237
of Meade, an act to change the time of the 278, 342
of Muhlenburg, a bill to change the time of the 150, 164,
199, 277, 289, 311, 347
of Simpson, a bill to change the terms of the 160, 198, 350
of Spencer, an act to regulate the terms of the 115, 132,
201, 245, 265, 286, 305
of Washington, a bill to change the time of the 112, 201
Courts, County, a bill to amend the law in relation to the pay of wit-
nesses attending, &c. 138, 234
of Caldwell, an act to allow the, to change a road 236, 332,
353, 354, 356, 362
of Campbell, an act to authorize the appointment of a
collector 185, 267, 294, 311, 346
of Casey, a bill to allow an additional term to the 137
of Christian, an act authorizing the, to change a road 127,
198, 232, 246
of Daviess, a bill to allow the, to lease a part of the
public square 179, 226, 253, 269
of Estill, a bill to legalize the proceedings of the 73, 88, 104,
166, 183
of Kenton, a bill allowing the, to change a road 40, 136,
199, 244, 253, 278
of Larue, an act to change the time of the 176, 220, 245,
265, 286, 305
of Letcher, a bill to repeal 2d section of act to change
the time of the 150
of Lincoln, a bill to allow an additional term to the 126,
164, 185, 193
of Logan, a bill authorizing the, to receive relinquish-
ments of stock in the Logan, Todd and
Christian Turnpike Road 270
of Monroe, a bill to allow an additional term to the 150
of Montgomery, a bill authorizing the, to appoint Com-
missioners to run the line between Mont-
gomery and Morgan counties 150
of Morgan, a bill to authorize the, to appoint Com-
missioners to run the line between Mont-
gomery and Morgan counties 150

- Courts, County, of Pike, a bill to repeal 2d section of act to change the time of the
of Rockcastle, a bill to regulate the time of the 216, 294, 310,
331
- of Scott, a bill to confirm the action of the, in relation to a road 151
- of Todd, a bill authorizing the, to take relinquishments of stock in the Logan, Todd and Christian Turnpike Road 270
- Courts, District, a bill to establish, and for other purposes 131, 187, 252,
255
- Courts, Justices', a bill to amend in part, and repeal in part regulating the time of holding 84, 110
- Courts, Military, a bill to change the time of holding 150
- Courts of Assessment, an act to legalize the proceedings of the, of the 17th and 36th Regiments 200, 291, 311, 346
- Courts of Justice, committee on appointed 44
- Covington and Louisville, a bill to amend the Charters of 87, 196, 345, 351,
359
- Covington, an act giving the Mayor of, concurrent jurisdiction with Judges in cases of idiots and lunatics 185, 268, 348, 355, 362
petition of citizens of 136
—see Fire Engine Companies.
- Covington, Georgetown and Lexington Road—see Roads, Turnpike.
- Cowan, John, petition of 75
- Cox, Jane, petition of 37
- a bill for the benefit of 62, 195, 231, 237
- Cox, Leonard B., appeared and took his seat 44
- Crab Orchard and Lancaster—see Roads, Turnpike.
- Craddock, Paschal D., petition of 58
- a bill granting a change of venue to 95, 134, 184,
197, 231, 237
- Craig & Henry, memorial of 238
- Crittenden county, petition of citizens of 36, 105, 186
remonstrance of citizens of 36
—see Election Precincts.
- Cross, Thomas, petition of 98
- a bill for the benefit of 110, 135, 166, 182
- Cumberland College, an act to amend the act amending the Charter of 78,
83, 94, 104
- Cumberland county—see Sheriffs.
- Cumberland Hospital, annual report of the Trustees of the 116
- Cunningham, John, petition of 76
- a bill for the benefit of 83, 175
- Curran, T. B. & J. H., petition of 128, 170
- Danville Amateur Band, a bill to incorporate the 234
- Danville Artillery, a bill for the benefit of 179, 278, 289, 310, 331
- Danville, petition of citizens of 136

INDEX.

35

Davidson, James, nominated for Treasurer	162
elected Treasurer	162
elected Director of Commonwealth's Bank	163
Daviess County Court—see Courts, County.	
Daviess county, petition of citizens of	36, 86, 123
—see Sheriffs.	
Davis, Jonathan, a bill for the benefit of	110 352
Deaf and dumb persons who are not idiots or lunatics, a bill to secure and protect the estates of	150
Deeds of trust, a bill to amend the law in relation to	87, 105
Deneal, Merial, an act to amend an act for the benefit of	164, 198, 232, 245
Depositions, a bill to change the mode taking	34
Depositions of Attorneys at law, an act providing for the taking of	353
Distributees and heirs—see Estates.	
District Courts, a bill to establish, and for other purposes	131, 187, 252, 255
Districts, Judicial, a bill to change the 8th and 18th	89, 110, 124, 218
a bill to change the 19th	111, 347
Dividends on Bank stock owned by the State, resolution in relation to the payment of	245, 342, 350, 363
Divorces, a bill to amend an act, entitled, an act to amend an act reg- ulating	149
a bill to regulate the law of	60
Dobyns, D. R. D., a bill for the benefit of	73
Doorkeeper, resolution in relation to pay of	9, 12, 13
Doris, Elizabeth, a bill for the benefit of the heirs of	234, 332
Doris, M. C. & John G., petition of and others	115
Dower, a bill to amend the law in relation to the relinquishment of be- fore Justices of the Peace	89
Doxey, John, petition of	123
Drapier, A. E., permitted to take a seat in the bar of the House	32
Dueling, a bill more effectually to suppress	137
Duties of Clerks—see Clerks. of Surveyors—see Surveyors.	
Edmonson Circuit Court—see Courts, Circuit.	
Education, committee on appointed	45
Education of the Blind—see Institution for	
Election of Public Officers, resolution fixing a day for the	104, 159, 161, 164
Election precincts, in Adair county, a bill to change	59, 87, 104, 167, 183
in Boone, a bill to change	137, 216, 245, 253, 269
in Butler, a bill to abolish	60, 83, 114
in Caldwell, a bill to change	85, 96, 108, 122
in Carter, an act to change	160, 198, 232, 245
in Clinton, a bill to abolish	53, 86
in Crittenden, an act to establish	236, 340, 347, 349, 361
in Franklin, an act to establish	245, 342, 347
in Grant, a bill to establish	137
in Green, a bill to change	60
in Harlan, a bill to change	53, 70, 122, 166, 183
in Harlan, a bill to establish	74, 88, 97, 107, 118

Election precincts, in Harrison, an act to establish in Henderson, a bill to change in Hopkins, a bill to establish in Jefferson, a bill to regulate in Kenton, a bill to change in Lawrence, a bill to abolish in Madison, a bill to establish in Monroe, a bill to change in Montgomery, a bill to define in Morgan, a bill to abolish in Nicholas, a bill to define the in Oldham, a bill to abolish in Perry, a bill to change in Pike, a bill to establish in Spencer, an act to establish in Whitley, a bill to change,	236, 340, 347, 349, 361 138, 350, 352, 355, 362 53, 77, 97, 107, 118 53, 72, 122, 167, 183 179, 245, 253, 269 60, 86 179, 245, 253, 269 150 50 53, 87 53 61 87, 104, 166, 183 77, 97, 107, 118 245, 342, 347, 349, 361 35, 41, 85, 107, 118
Elections, a bill the better to protect the purity of	34, 96, 118, 154, 285, 289, 336, 358 89, 186, 195
Elections and Privileges, committee on appointed	44
Elizabethtown and Louisville Turnpike Road Company, an act to amend the charter of the	308 200 136
Elizabethtown, petition of citizens of	39, 88
Emancipation of slaves, a bill to prevent the, &c.	58, 246
Emmison, Joseph, Jr., petition of	344
England, William L., petition of a bill to divorce	348, 353, 356, 359
Enrollments, committee on, appointed	47
Estates, a bill to amend the act regulating the administration and settlement of	40
Estates of Deaf and Dumb persons who are not idiots or lunatics, a bill to secure and protect	150
Estates of persons dying without heirs or distributees, a bill to amend the act providing that the, shall vest in the Commonwealth	111, 228
Estes, Marietta H., an act for the benefit of, and her children	227, 303, 310, 346
Estill County Court--see Courts, County.	75, 78
Estill county, petition of citizens of	268
Evans, W. F., petition of, and others	227, 291, 311, 346
Ewers, James B., an act for the benefit of the heirs of	227, 291, 311, 346
Execution, a bill to repeal the law exempting \$250 worth of property from	35
a bill to reduce into one the laws exempting property from	53, 62, 87, 90, 122, 161, 198, 285, 300, 307, 310, 346
Execution laws, a bill to repeal 2d and 3d sections of the act of 1843, entitled, an act to amend the	33 60, 73, 95, 137, 217
Executors and administrators—see Accounts.	
Expenditures of the Board of Internal Improvement, committee on appointed	46

- Fairbank, Calvin, an act granting a change of venue to 143, 198, 348, 357,
362
Falmouth Bridge Company, an act giving the, further time to receive
subscriptions of stock 227, 291, 311, 346
Farrar, Edward, petition of 48, 76
Farish, Stephen M., a bill for the benefit of 89, 110, 127, 166, 183
Fayette county, a bill for the benefit of the 6th district of Common
Schools in 89
Fayette county, an act for the benefit of certain school districts in 176, 220,
245, 253, 278
Females, a bill further to protect the rights of 34, 55, 80
Female Institute, Richmond, a bill to incorporate the 34, 41, 114, 132, 166,
182
Female Seminary, Bardstown, an act to incorporate the 176, 219, 232, 246
Ferguson, Nathaniel, a bill to allow, to peddle goods without license 248,
345, 351, 359
Ferries and Mills, a bill to amend the laws concerning the establishment
of 234
Field, William, petition of 305
Field, William B., a bill for the benefit of 201, 239
Fire Company of Shelbyville, petition of officers of the 176
a bill to regulate the 216, 345, 351, 359
Fire Engine and Hose Company of Covington, a bill to require a list of
the members of the, to be reported to the Clerk 40, 49, 85,
107, 118
First Auditor, annual report of the 31—see Legislative Documents.
Flat Boats, a bill to exempt, from toll decending Green and Barren
rivers, &c. 52, 62, 79, 153
Fleming county, remonstrance of citizens of 177, 194, 227
Flora, John Wiggins, a bill for the benefit of 73, 138, 164, 185, 193
Flournoy, Louisa Adaline, petition of 246
Flournov, Robert J., petition of 51, 238
Floyd Circuit Court—see Courts, Circuit.
Forsythe, Robert, an act for the benefit of 115
Fraley, Henry Harrison, a bill to change the name of 60, 72, 85, 107, 118
Frankfort, petition of citizens of 58, 79
Franklin county—see Election Precincts.
Franklin, Elisha, a bill for the benefit of the heirs and estate of 151
Fraudulent sale of salt, a bill to prevent 34, 49, 79, 97, 102, 166, 183
Free persons of color, a bill to prevent from owning or inheriting slaves 60
Friend, Samuel K., petition of 246
Fry, David B. & Mary Jane, petition of 185
Fry, Speed S., petition of and others 123
Fugate, Mary Ann, a bill for the benefit of 50, 54, 75, 82, 94, 182
Fulton, a bill to establish the county of 77, 90, 94, 118
an act supplemental to the act to establish the county of 176, 219,
232, 246
Fulton county, petitions, &c., in relation to 356
Fund, School, a bill for the benefit of the 60
Fund, Sinking—see Sinking Fund.

- Funk Seminary, a bill to amend the charter of the 272, 279, 287, 332, 351, 359
- Furguson, Nathaniel, petition of 164
- Gaither, Greenberry A., petition of 37
- Gallatin county, petition of citizens of 81, 144
- Gaming, unlawful, a bill to repeal 9th section of an act to amend the laws concerning 150
- Garnett, Susan, petition of 86
a bill to divorce 239
- Garrett, Jane, a bill for the benefit of and the heirs of M. Garrett 35
- Garrett, Jane, petition of 115
- General Assembly, adjournment of *sine die* 363
resolutions for the adjournment of the 49, 56, 65, 232, 245
- General Court, a bill providing for a special term of the for revenue purposes 311
- Georgetown, Covington and Lexington Road—see Roads, Turnpike.
- Gist, David R., petition of 86
a bill for the benefit of 102, 127
- Gist, Susan R., an act for the benefit of 286, 319, 336, 360
- Goins, Sanford, and others, petition of 58, 79, 281
- Goodwin, Lloyd K., petition of 164
a bill for the benefit of 201
- Goodwin, Sarah Ann, a bill to change the name of to Blakely 128, 198, 232, 246
- Gordon, C. C., petition of and J. C. Wagoner 32
- Goslin, Harrison, petition of 128, 223
- Governor, annual message of the 13
documents accompany message of the 27
—see also Legislative Documents.
- committee to wait on the, appointed 13, 363
- message of the, accompanying resolutions from Alabama 327
- message of, accompanying resolutions from Indiana 264
- message of, in relation to Penitentiary 51
- message of, in relation to bill approved 33
- message of, vetoing a bill 146
- message of, vetoing a resolution 144
- Goyer, David, an act for the benefit of and J. M. Webb 268
- Grace, George, petition of 48, 177, 178, 357
- Graham, Alexander, a bill for the benefit of 196, 332, 345, 351, 359
- Graham, Charles S., petition of 144
a bill to divorce 170, 236, 253, 269
- Grain, a bill to regulate the weight of 83, 101, 130, 305, 310, 336, 358
- Grant county—see Election Precincts and Sheriffs.
- Graves county, petition of citizens of 48, 144, 194
—see Sheriffs.
- Gray, Joseph, elected Sergeant-at-Arms 6
allowed the assistance of his son 49
thanks of House tendered to 358
- Grayson county—see Justices.

Green Circuit Court—see Courts, Circuit.	
Green county—see Election Precincts and Sheriffs.	
Green river—see Tolls.	
—see Water Power and Rents.	
Greensburg Philalethic Society, a bill to incorporate the	137, 272, 345, 351,
	359
Greenup county, petition of citizens of	37
—see Roads, Turnpike.	
—see Common Schools.	
—see Justices.	
Greenwell, Ignatius, an act for the benefit of and others	200, 305, 310, 346
Groesbeck, Herman J., leave of absence granted to	305
Growers of wool, a bill to protect, &c.,	60, 102
Guardians, a bill to amend the several acts regulating the settlement of the accounts of	216
Hackler, Samuel, petition of	47
Hackney, Jacob, petition of	98, 123
Haggard, James, nominated for Doorkeeper votes for	6 7, 7, 8
Hailey, Johnson, and Randolph, an act for the benefit of	278, 342, 350, 360
Hale, Amon C., petition of	279
Hamilton, Amelia M., petition of a bill for the benefit of	37 77, 90, 107, 118
Hampton, William, a bill for the benefit of	39, 87
Hancock county—see Sheriffs.	
Hand, Eli, a bill to divorce	151
Hardy, James G., an act for the benefit of	357, 360
Harlan county, petition of citizens of —see Election Precincts.	32
Harrison, Burr, an act for the benefit of and the heirs of E. H. Bain	227, 304, 332, 344, 350, 360
Harrison county—see Election Precincts. petition of citizens of	246
Hart Circuit Court—see Courts, Circuit.	
Hart county—see Justices of the Peace.	
Hartford Bridge Company, a bill to amend the act releasing to Ohio county the State's interest in the	61, 110, 178, 245, 253, 269
Hart, William, a bill for the benefit of and W. L. Smith	77, 175
Hart, William, petition of	48
Haskin, Joseph, nominated for Speaker votes for	5 6
Hathaway, E. A., a bill for the benefit of and C. G. Richardson	40
Hathaway, John, petition of	115, 246
Hawkins, Nancy, a bill for the benefit of	60
Hawser, Thomas, petition of	115, 225
Haydon, William, an act for the benefit of	278, 342, 350, 360
Head, Daniel, petition of and others	115
Heirs and distributees—see Estates.	
Helm, Thomas J., elected Clerk thanks of House returned to	6 358

Henderson county, an act providing for transcribing the Surveyor's books of, and for other purposes	176, 220, 277, 289
	311, 347
petition of citizens of	91
remonstrance of citizens of	91, 160
—see Election Precincts.	
Hendrixon, Susan, petition of	144, 246
Henry Clay Institute, an act to incorporate the	227
Henry county, petition of citizens of	115, 186
Henry, Thomas, an act for the benefit of the heirs of	227, 336, 360
Herndon, James, petition of	222
Herndon, John C., nominated for Assistant Clerk	27
votes for	27, 28, 29, 30
elected Assistant Clerk	30
thanks of House returned to	358
Hervey, William R., nominated for Assistant Clerk	27
votes for	28, 29
Heston, Isaiah, an act for the benefit of	57, 64, 67, 85
Hickman county, petition of citizens of	33
—see Justices and Sheriffs.	
Highfield, Ellen, petition of	86, 238
Hildreth, James, petition of	160
a bill granting a change of venue to	196, 294, 336, 358
Hill, Robert, an act for the benefit of and the widow and heirs of James M. Hill	351, 352, 357, 362
Hill, Robert P., petition of	218
Hinton, Plina, petition of	268
Hobbs, Job, petition of	37, 86
Hobgood, John, petition of	37, 169
a bill to divorce	238
Hodges, A. G., nominated for Public Printer	162
elected	162
Hoffman, Thomas, petition of	144, 186
Hogan, Overton P., an act for the benefit of	332, 343, 349, 361
Holders of Kentucky land warrants, an act to allow further time to the	
to register plats and certificates of surveys	122, 198, 295,
	310, 346
Holliday, T. & L. P., a bill for the benefit of	151
Hopkins Circuit Court—see Courts, Circuit.	
Hopkins county, petition of citizens of	36, 177, 186
—see Election Precincts.	
remonstrance of citizens of	143, 160, 177
Horticultural Society, a bill to incorporate the Kentucky	150
Hose and Fire Engine Companies of Covington, a bill to require a list of	
the members of the to be reported to the Clerk	40, 49, 85,
	107, 118
Hoskins, Aquilla, petition of	33
a bill for the benefit of	72, 97, 166, 183
Hoskins, Rachael, petition of	177, 247
Hospital, Cumberland, annual report of the Trustees of the	116

- Howard, Joseph, petition of 37
 a bill for the benefit of 120, 135, 197, 231, 237
- Howorth, George, petition of 128
- Huffman, Henry, petition of 115
 a bill granting a change of venue to 154, 226, 253, 269
- Hull, Calvin A., petition of 136
 a bill for the benefit of 196, 344
- Humphrey, John, a bill for the benefit of the heirs of 74
- Hutchason, Samuel, an act for the benefit of 268, 342, 350, 361
- Idiots, a bill providing for the support of 126, 141
- Importation of slaves, a bill to modify and change the law of 1833 prohibiting the 50, 112
 a bill to repeal the law of 1833, prohibiting 114
- Indiana, joint resolutions of the Legislature of 264
- Ingerson, Philo, petition of 194
- Inspection of salt, a bill to amend the law establishing the 74, 278, 281, 295
- Institute, Henry Clay, an act to incorporate the 227, 303, 310, 346
- Institute, Richmond Female, a bill to incorporate the 34, 41, 114, 132, 166, 182
- Institute, Western Baptist Theological, an act to amend the act incorporating the 176, 219, 232, 245
- Institution for the Education of the Blind, annual report of the Visiters of the 123
 —for report, see Legislative Documents.
 use of hall allowed to 167
 an act for the benefit of the 285, 317, 320, 336, 360
- Instruments of writing, a bill to repeal the law dispensing with seals to certain 53, 72, 184
- Insurance Company, Kentucky and Louisville Mutual, report of the President of the 42
- Internal Improvement, Board of, annual report of the 82
 —see Legislative Documents.
 communication of 116
 —see Legilative Documents.
- Internal Improvement, committee on appointed 45
- Ireland, Samuel, petition of and others 176
- Ivey, Frederick, petition of 165
 a bill for the benefit of 197
- Jackson, Jarvis, petition of 237
- Janes, David and Mary, a bill for the benefit of 59, 87, 127, 165, 183
- Jefferson and Bullitt counties, an act to run the line between 39, 294, 343, 350, 361
- Jefferson and Shelby counties, an act to run the line between 294, 343, 350, 361
- Jefferson Circuit Court—see Courts, Circuit.
- Jefferson county—see Election Precincts.
 petition of citizens of 122
- Jeffries, Sophia, an act to change the name of to S. Hancock 135, 198, 232, 246

- Jenkins, Charles G., petition of widow and heirs of 33
 a bill for the benefit of the widow and heirs of 72
- Joint Obligors, an act concerning 305, 343, 349, 361
- John, a slave, a bill for the benefit of 53, 79
- Johnson county—see Justices.
 —see constables.
- Johnson, Gabriel J., nominated for Assistant Clerk 27
 votes for 28, 29, 30
- Johnson, Isaac, a bill for the benefit of, and others 72, 90, 96, 107, 117
- Johnson, James, an act permitting, to build a mill dam across the middle fork of Kentucky river 97, 102, 178, 186, 200
- Johnson, James C., petition of 98
- Johnson, John, a bill for the benefit of, and others 248, 332, 336, 358
- Johnson, M. C., and others, petition of 78
- Johnson, William, an act for the benefit of the heirs of 195, 291, 311, 346
- Jones, Henry, an act for the benefit of 236, 312, 336, 360
- Jones, Mary, petition of 201
- Judges of Circuit Courts—see Courts, Circuit.
- Judicial Districts, a bill to change the 8th and 18th 89, 110, 124, 218
 a bill to change the 19th 111, 347
- Jurisdiction of Justices of the Peace, a bill to define the 39
 a bill to increase the 61
- Jury Laws, a bill to amend the 34, 83, 88, 101, 138
- Justices' Courts—see Courts.
- Justices of the Peace, a bill concerning appeals from judgments of 228
 a bill to allow compensation to, in certain cases 84
 a bill to amend the law in relation to relinquishments of dower before 89
 a bill to amend the law regulating proceedings before 59, 95, 112
 a bill to define the jurisdiction of 39
 a bill to extend the jurisdiction of 61, 83, 223
 in Adair, a bill to reduce the number of the 234, 332,
 336, 358
- in Barren, a bill to allow an additional 138, 164, 198,
 277, 279, 304, 305, 336, 358
- in Boone, a bill to reduce the number of 89, 110, 127,
 166, 183
- in Caldwell, a bill to allow two 87
- in Carter, a bill to allow 128, 199, 245, 265, 286, 305
- in Casey, a bill to allow two 73, 88, 98, 127, 165, 184
- in Grayson, a bill for the benefit of 111
- in Greenup, a bill to allow 54, 77, 87, 94, 98, 104,
 166, 183
- in Hart, petition of the 185
- in Hickman, a bill to reduce the number of 137
- in Johnson, a bill to allow 50, 54, 75, 78, 82, 94, 98,
 104
- in Johnson, a bill to allow Morehead and Brown's
 Digest to the 85, 96, 108, 122
- in Letcher, an act to allow 236, 321, 338

- Justices of the Peace, in Lincoln, a bill to allow 111, 126, 164, 185, 193
 in Madison, an act to allow 354, 356, 357, 362
 in Marshall, a bill to allow 111, 126, 143, 197, 231,
 237
 in Trimble, a bill to allow 84, 110, 127, 166, 182
 in Wayne, a bill to repeal the act limiting the
 number of 53, 62, 91, 143, 165, 183
 in Whitley, a bill to allow 40, 49, 75, 82, 94, 146, 151
- Keedy, Julia A., petition of 32
 a bill for the benefit of 72, 85, 107, 118
- Keepers of the Penitentiary, annual report of the 48—see Legislative Documents.
- Keepers of the Penitentiary, memorial of the 238
- Kek, John, an act for the benefit of the heirs of 227, 303, 310, 347
- Kenton County Court—see Courts, County.
- Kenton county, petition of citizens of 136—see Election Precincts.
- Kentucky and Louisville Mutual Insurance Company, report of the President of the 42
- Kentucky and Tennessee, an act to run and re-mark the line between
 the States of 184, 219, 232, 246
- Kentucky Colonization Society, use of Hall allowed to 252
- Kentucky Horticultural Society, a bill to incorporate the 150
- Kentucky Institution for Education of the Blind—see Institution.
- Kentucky river, a bill to regulate the tolls on the 252, 281
- Kentucky river—see Tolls.
- Kentucky river navigation, a bill concerning the 60
- King, Solomon, a bill for the benefit of, and others 248
- Kinninan, William, petition of 165
- Kirtley, Larkin, petition of 200
- Lafon, John, petition of 85
 a bill for the benefit of, and others 120
- Lagrange and Westport Turnpike Road Company, a bill to incorporate
 the 50
- Lancaster, petition of citizens of 175
 a bill to amend the act incroporating 225, 278, 288, 310, 331
- Lancaster to Crab Orchard—see Roads, Turnpike.
- Land, a bill for the relief of the *bona fide* occupants of 89
- Land, a bill further to regulate conveyances of, by Sheriffs 61
- Land, Charles A., petition of 218
- Land Office, an act to amend the act establishing a, west of Tennessee
 river 345, 353, 356, 362
- Lands to be sold for taxes, a bill to change the mode of advertising 111, 138,
 231
- Lands unappropriated, a bill to reduce the price of, in Carter and Lawrence counties 34, 49, 85, 97, 107, 118
- Lands, vacant, in Laurel county, a bill to reduce the price of 35, 49, 85, 94,
 98
- Land warrants, an act to allow holders of, further time to register plats
 and certificates of surveys 122, 198, 295, 310, 346
- Larue County Court—see Courts, County.

- Larue county, a bill for the benefit of the widows of Larue county—see Sheriffs. 95, 102, 143
- Laurel county, a bill to permit citizens of, to pass Madison Fork free of toll petition of citizens of —see Lands, Vacant. 50, 54
—see Sheriffs. 236, 237
- Lawrence county—see Election Precincts.
- Law, Road, a bill to amend the 34
- Laws, Bail—see Bail.
- Laws, Execution—see Execution Laws.
- Laws, Jury—see Jury Laws.
- Laws, Militia—see Militia Laws.
- Laws, Mortgage—see Mortgage Laws.
- Laws, Penal—see Penal Laws.
- Laws, Penal, a bill to repeal act to amend the 35, 40
- Laws, Revenue, a bill to amend the 111, 112, 124, 154, 172, 180, 199, 226, 235, 240
- Laws, Statute, a bill for the revision, codification and publication of the 216
- Leavill, Benjamin, petition of 58, 93
- Lee, Benjamin E. T., an act granting a change of venue to 286, 343, 350, 361
- Letcher County Court—see Courts, County.
- Letcher county—see Justices and Constables.
- Leveridge, Jno., petition of 254
a bill to establish the town of Rowena on the land of 281, 345, 351, 359
- Lewis, Archibald S., a bill for the benefit of, and W. B. Carlisle 34, 87, 138, 176, 186, 193
- Lewis county—see Sheriffs.
- Lewis, Edward, a bill for the benefit of 89, 130, 159, 165, 183
- Lewis, James, petition of, and Wm. Slusher 32, 78
- Lewis, Peggy, petition of 47, 76
- Lexington, a bill to extinguish the rent and title of the City of, to the Railroad Depot and Warehouse 95, 124, 254, 288, 310, 331
a bill to amend the charter of the City of 89, 110, 184, 231, 237, 278, 342, 349, 361
- Lexington and Ohio Railroad, a bill to open certain parts of the 255
- Lexington, Georgetown and Covington Road—see Roads, Turnpike.
- Librarian, resolution directing the, to buy a copy of Loughborough's Digest for each standing committee 67
annual report of the 217—see Legislative Documents.
- Library Association at Newport, a bill to establish a 73, 138, 176, 185, 193
- Library, committee on the, appointed. 47
- License, Tavern, a bill to regulate the granting of 151
- Licking river, a bill to authorize the building of a mill dam across 34
a bill to protect the public works on 61
- Lincoln County Court—see Courts, County.
- Lincoln county—see Justices.
- Liquors, spirituous, a bill to prohibit merchants from selling less than one gallon 60, 77, 246

- Little Barren River and Bear Creek, an act declaring, navigable streams 176,
199, 255, 286, 305
- Livingston county, petition of citizens of 37
- Lock No. 1, on Barren river, a bill to repair 73, 170, 240, 273, 332, 351,
359
- Logan Circuit Court—see Courts, Circuit.
- Logan County Court—see Courts, County.
- Logan county, petition of citizens of
 remonstrance of citizens of 47
 51
- Long, William, petition of 78, 247
- Louisa, a bill to extend the Constable's district in the town of 137
- Louisville and Covington, a bill to amend the charters of 87, 345, 351, 359
- Louisville and Elizabethtown Turnpike Road Company—see Road Com-
pany.
- Louisville and Kentucky Mutual Insurance Company, report of the
 President of the 42
- Louisville and Portland Canal Company, an act to amennd the charter
 of the 275, 287, 344, 355, 362
- Louisville, a bill to move the Capital to 151
- Louisville, a bill better to define the limits of 34, 72, 86, 104, 166, 182
- a bill to compensate persons whose property is destroyed by
 riots and mobs in 74, 95
 petition of citizens of 223
- Louisville Bank, a bill to amend the charter of the 221
- Louisville Coal Company, a bill to amend the law incorporating the 39
- Louisville Colleges, a bill for the benefit of the 216
- Louisville Police Court, a bll to explain and amend the law establishing
 the 84
- Louisville St. Cecelia Society, a bill to incorporate the 97
- Lowry, Nancy and Robert W. Jr., a bill for the benefit of 87, 143, 197,
 231, 237
- Loyd, Hail, petition of and others 115
- Lucas, William, Sen., petition of 38, 76
- Lunatic Asylum and Transylvania University, resolution to appoint
 committee to examine 33, 54, 67, 85
 committee to examine appointed 89
 report of committee to examine 305
- Lunatic Asylum, annual report of the Trustees of 108
- see Legislative Documents.
 report of committee on the 305
 —see Legislative Documents.
 a bill for the benefit of the 306, 336
- Lyle, Daniel, an act for the benefit of the heirs of 234, 278, 286, 295
- Maddox, Eleanor W., petition of 65
- Madison county, petition of citizens of 33, 236
- see Elections Precincts.
- Madison Fork and Wilderness Road—see Roads.
- Madisonville, a bill to repeal an act enlarging the powers of the Trus-
 tees of the town of 234, 347, 356, 360
 petition of citizens of 128

- Magistrates—see Justices of the Peace.
 Managers of Turnpike Roads, a bill to regulate the duties of Manufacturing and Navigation Company, a bill to incorporate the Bow-
 linggreen 137
 151
 Manufacturing Company, Maysville, a bill to amend the act incorpora-
 ting the 54, 66, S3, 122, 132, 166, 183
 Marksberry, William, petition of 75
 Marine Hospital, resolutions in relation to 59, 74, 94, 160, 200
 Marion and Washington counties, act to change the line between 195, 268,
 291, 311, 346
 Marion Circuit Court—see Courts, Circuit.
 Marion county, a bill to establish a Chancery term in
 petition of citizens of 111
 37, 105
 Marshall county, a bill for the benefit of
 —see Sheriffs and Justices. 237
 Martin, Milton, petition of 123
 Mason county, a bill to take the sense of the people of, relative to re-
 moving the Seat of Justice 184, 219, 254, 279
 a bill to amend the road law in 40
 petition of citizens of 136, 178
 Mason, John C., resolution permitting to withdraw papers in relation
 to contested election 354
 Masters in Chancery, a bill to regulate the duties and compensation of 50
 Matheny, A. D., a bill for the benefit of 39
 Maxfield, Eliza, an act to amend an act for the benefit of and her chil-
 dren 332, 343, 349, 361
 Maxey, Rice, nominated for Assistant Clerk 27
 votes for 27
 nomination of withdrawn 28
 Mayor of Covington, an act giving concurrent jurisdiction to with
 Judges in cases of idiots and lunatics 185, 268, 348,
 355, 362
 May, Samuel, an act for the benefit of 245, 269, 286, 346
 Maysville Manufacturing Company, a bill to amend the act incorpo-
 rating the 54, 66, S3, 122, 132, 166, 183
 McAughan, Kain A., petition of Geo. Grace in relation to 48, 177, 178
 report of committee on conduct of 177, 178
 McClelland, Joseph G., petition of 58, 93
 McClure, Mathew, a bill for the benefit of 137
 McCracken county—see Sheriffs.
 McElya, Ann, petition of 37
 McElya, John, a bill for the benefit of the widow and heirs of 72, 127, 165,
 183
 McFaddin, John, a bill for the benefit of the heirs of 73
 McGary, Susannah, a bill to change the name of to Susan Taul 150, 170,
 236, 253, 269
 McGuire, Samuel, petition of 122, 223
 McHenry, M. D., appointed chairman of committee on the Sinking
 Fund 51
 added to committee for Courts of Justice 74

- McIlvain, John B., petition of 98
 a bill for the benefit of 196, 294, 336, 358
- McKee, James H., an act for the benefit of the sureties of 227, 303, 310, 346
- McKenzie, Margaret, petition of 37, 246
- McKinney, William F., petition of 236
- McLaughlin, Sarah C., an act for the benefit of the devisees and dis-
 tributes of 135, 198, 348, 356, 362
- McLane, King D., petition of 222
- McLean, a bill to establish the county of 186
- McMurtry, John, and others, petition of 78
- McReynolds, James A., a bill for the benefit of 40
- McReynolds, John, an act for the benefit of 128, 132, 152
- McWharton, Elijah, petition of 177
 a bill for the benefit of, and others 247, 345, 351, 359
- Meade Circuit Court—see Courts, Circuit.
- Meade county—see Sheriffs.
- Means and Ways, committee on appointed 45
- Meaux, Walker, petition of 194
- Mechanics, a bill for the benefit of 348
- Mechanics, a bill to protect, against the effects of convict labor 40
 of Bardstown, a bill for the benefit of 53, 62, 78, 94, 98
- Mechanics of Boone county, a bill for the benefit of the 60, 72
- Mechanics and others of Bowlinggreen, a bill for the benefit of 40, 49, 74,
 94, 98
- Meeting House, Centre Point, a bill to incorporate the Trustees of the 55, 97,
 102, 166, 184
- Merchants, a bill to prohibit, from selling less than one gallon of spiritu-
 ous liquors 60
- Merchants open accounts, a bill to amend the law in relation to 59, 95, 121
- Mershon, John, a bill for the benefit of 61
- Message of the Governor, annual 13
 documents accompanying 27
 —see Legislative Documents.
 concerning resolutions from Indiana 264
 in relation to a bill approved 33
 concerning resolutions from Alabama 327
 in relation to the Penitentiary 51, 65
 vetoing a joint resolution 144
 vetoing a bill 146
- Metcalfe, a bill to establish the county of 262
- Methodist Episcopal Church—see Church.
- Middle Fork of Kentucky river, an act permitting James Johnson to
 build a mill dam across 97, 102
- Military Affairs, committee on appointed 45
- Military Courts, a bill to change the time of holding 150
- Mills, an act for the benefit of owners of, injured by slackwater 294, 343,
 350, 361
- Militia Laws, a bill to amend the, &c. 34
- Militia Laws, a bill to amend the, and increase the school fund 84, 88, 105,
 303

Mill dam across Licking river—see Licking River.	
across Middle Fork—see Middle Fork.	
Mills and Ferries, a bill to amend the laws concerning the establishment of	234
Ministers, resolution to request the, of Frankfort to open the House with prayer	30
thanks of House tendered to the	358
Mitchell, Henry G., John, and Leander A., a bill for the benefit of	40
Mitchell, John, petition of	85
Mitchell, Margaret, a bill for the benefit of	83, 121
Mitchell, Shadrack, a bill for the benefit of, and others	121
Mofford, Isaiah P., petition of	136, 238
Money, a bill for the appropriation of	317, 321, 322, 323, 324, 325, 326, 353, 357, 360
Montgomery and Morgan counties, a bill to run and re-mark the line between	239, 345, 351, 359
Montgomery County Court—see Courts, County.	
Montgomery county—see Election Precincts—see Surveyors.	
petition of citizens of	97, 136, 186
Monroe County Court—see Courts, County.	
Monroe county, petition of citizens of	123, 355
—see Election Precincts.	
Monroe, James, nominated for Librarian	163
votes for	163
Moody, James, petition of	194
Moore, Alfred, petition of	237
Moore, Francis, petition of	128
Moore, Joseph, a bill for the benefit of	112
Moore, Joseph, petition of	58, 78
Morehead, Charles S., nominated for Speaker	5
votes for	5, 6
elected Speaker	6
thanks of House tendered to	357, 358
Morgan, Abel, a bill for the benefit of	73, 88, 99
Morgan and Montgomery counties, a bill to run and re-mark the line between	239, 345, 351, 359
Morgan County Court—see Courts, County.	
Morgan county—see Election Precincts.	
petition of citizens of	136, 144
Mortgage laws, a bill to amend the	52, 87, 105
Mt. Sterling, petition of citizens of	136
Muhlenburg Circuit Court—see Courts, Circuit.	
Muhlenburg county, petition of citizens of	36
Mullikin, George, a bill for the benefit of	151, 284, 294, 310, 331
Munday, George, a bill for the benefit of, and Jno. C. Waggoner	83, 97, 107, 118
Mutual Insurance Company, Kentucky and Louisville, report of the President of the	42
Nance, Frederick, a bill for the benefit of	50, 72, 91, 141
National salute, resolution to fire	63, 70

Navigation and Manufacturing Company, a bill to incorporate the	
Bowlinggreen	151
Navigation of Kentucky river, a bill concerning the	60
Ned, a slave, an act granting a change of venue to	294, 343, 350, 361
Nelson county, petition of citizens of	90
Newby, Lucinda, petition of	227, 246
New Liberty, a bill to revive the law concerning the town of	84, 110, 135,
	166, 182
Newman, Elizabeth and Edmund, petition of	227
Newport Academy or Seminary, an act to amend the several acts con-	
cerning the	128, 198, 272, 294, 311, 346
Newport Library Association, a bill to establish the	73, 138, 176, 185, 193
Newport, petition of citizens of the town of	51, 194
a bill amendatory of the laws concerning	62, 127, 165, 183, 248,
	332, 351, 359
Nicholas county, petition of citizens of	136
—see Sheriffs.	
Nicholas county—see Election Precincts.	
Nolin Bridge Company, a bill for the benefit of the	269
Northern Bank of Kentucky, an act concerning the	184, 220, 265, 354, 355,
	357, 362
Oats, Corn, &c., a bill to regulate the measurement of, by weight per	
bushel	40
Obligors, an act concerning joint	305, 343, 349, 361
Occupants of land, a bill for the benefit of the <i>bona fide</i>	89
Officers, a bill to reduce the salaries of	60, 139, 188
Officers, Public, resolution fixing a day to elect	104, 159, 161, 164
Officers of 129th Regiment Kentucky Militia, petition of	37, 86
of 18th Regiment Kentucky Militia, petition of	185
Offices, Public, committee on appointed	47
Offut, Agustus B., petition of, and others	115
a bill for the benefit of	196
Ohio county, a bill to amend the act releasing the State's portion of	
Hartford Bridge to	61, 110
Ohio county, petition of citizens of	36, 143, 144
remonstrance of citizens of	143
Old Bank of Kentucky—see Bank.	
Oldham county—see Election Precincts and Constables.	
petition of citizens of	115
Open accounts of Merchants—see accounts and Merchants.	
Otter Creek Church, petition of	185
Owen county—see Sheriffs.	
Owingsville and Big Sandy Turnpike Road Company—see Road Com-	
pany.	
Owners of Mills and other property injured by slackwater, an act for	
the benefit of	294, 343, 350, 361
Owsley county, petition of citizens of	236
remonstrance of citizens of	236
Paducah, a bill to amend the act incorporating the town of	161, 294, 336,
	358

- | | |
|---|---|
| Paducah, a bill touching a State Warehouse at, &c. | 73, 305 |
| Paducah, a bill extending the jurisdiction of the Police Judge of the town of | 111 |
| Page, Thomas S., elected Director of Commonwealth's Bank | 163 |
| Parker, Thomas, a bill for the benefit of, and others | 248, 332, 336, 358 |
| Partial payment, a bill to amend the law as to pleading, &c. | 34, 94 |
| Payment, partial, a bill to amend the law as to pleading, &c. | 34, 94 |
| Payne, Edmund, petition of | 128, 223 |
| Payne, Reuben, petition of | 37 |
| Payne, W. P., a bill for the benefit of, and I. Baling | 35 |
| Pearce, Hiram B., an act to change the venue in the case of | 78, 82, 97, 104 |
| Pearce, James, petition of, and others | 176 |
| Pedlers, a bill to amend the laws in relation to | 35, 49, 53, 79, 99, 118, 278
289, 310, 331 |
| Penal laws, a bill to amend the | 72, 90, 111, 201 |
| a bill to amend the, in relation to slaves | 89 |
| Pendleton and Campbell counties, an act to run the dividing line between | 294, 343, 350, 361 |
| Pendleton county—see Road, State. | |
| petition of citizens of | 97 |
| Penitentiary, committee on appointed | 46 |
| report of committee on the | 204 |
| report of visitors of the 31—see Legislative Documents. | |
| annual report of the Keepers of the | 48 |
| —see Legislative Documents. | |
| communication of the late Keeper of the | 67, 68 |
| memorial of the Keepers of the | 238 |
| a bill concerning the | 272, 303, 312, 314, 332, 345, 351, 359 |
| Pennington, Morton, petition of | 160 |
| a bill granting a change of venue to | 216, 294, 303, 331, 351, 359 |
| Perry county, petition of citizens of | 32 |
| —see Sheriffs and Election Precincts. | |
| Perry, Robert H., petition of | 136, 196 |
| Persons whose property may be destroyed by riots and mobs in Louisville, a bill to compensate | 74, 95 |
| Peters, Mr., use of Hall allowed to | 167 |
| Philalethic Society of Greensburg, a bill to incorporate the | 137, 272, 345, 351, 359 |
| Pike County Court—see Courts, County. | |
| Pike county, petition of citizens of | 47 |
| —see Election Precincts. | |
| Plats and certificates of surveys—see Land Warrants. | |
| Police Court of Louisville, a bill to explain and amend the law establishing the | 84 |
| Police Judge in Paducah, a bill extending the jurisdiction of the | 111 |
| in Burksville, a bill to appoint | 138 |
| Poor, a bill to amend the law in relation to the | 151 |
| Porter, Bradford L., petition of | 36 |
| Portland and Louisville Canal Company, an act to amend the charter of the | 275, 287, 344, 355, 362 |

Port Oliver, an act concerning the Trustees of the town of	227, 304, 332
Port Royal, petition of citizens of the town of	222
Port Royal Seminary, a bill for the benefit of	239, 332, 351, 359
Posey, Fayette, an act for the benefit of	160, 198, 228, 253, 279
Postage, joint resolutions and preamble in relation to reduction of	38, 85, 94, 108, 118
Pottinger, Geo. M., a bill for the benefit of	40, 77, 90, 96, 107, 117
Potts, Joseph M., a bill for the benefit of	228
Powell, Lucy and Henrietta, petition of	279
Prayer, resolution requesting Ministers to open the House with	30
Presbyterian Church—see Church.	
Prewett, Ann M., petition of	36
a bill for the benefit of	87, 122, 167, 183
Price, Robert and Mary, an act for the benefit of	57, 64, 71, 78, 85
Princeton, an act to extend the powers of the Trustees of the town of	227, 303, 311, 346
Privileges and Elections, committee on appointed	44
report of committee on	308
Proceedings before Justices—see Justices.	
Proceedings in Chancery, a bill to amend the law regulating	34, 40, 121
Proceedings of the 45th Regiment of Kentucky Militia, a bill to legalize	61, 102, 176, 185, 193, 289, 311, 346
Proceedings of the 115th Regiment of Kentucky Militia, a bill to legalize the	176, 220, 277, 289, 311, 346
Property, a bill to repeal the law exempting \$250 worth of property from execution	35
a bill reducing into one the laws exempting from execution	53, 62, 87, 90, 122, 198, 285, 300, 307, 310, 346
Property, taxable, a bill to amend the law in relation to the payment of assessors of	89
Propositions and Grievances, committee on appointed	44
Proving accounts, a bill to change the law on the subject of	111, 216
Pryor, William, a bill for the benefit of	151, 216, 294, 310, 331
Public Instruction, annual report of the Superintendent of	75—see Legislative Documents.
Public Officers, resolution fixing a day to elect	104, 159, 161, 164
Public Offices, committee on appointed	47
Public Roads, a bill in relation to keeping, in repair	353, 354, 357, 360
Public works on Licking river, a bill to protect the	61
Pulaski county, petition of citizens of	237
Pulaski county—see Constables.	
Purity of Elections—see Elections.	
Purvis, James, a bill for the benefit of, and wife	137
Railroad, Lexington and Ohio, a bill to open certain parts of	255
Rauson, Richard H., petition of	165
Rawlings, A., petition of	115
a bill for the benefit of	179, 245, 253, 269
Ray, Foster, an act for the benefit of	115, 132, 197, 201, 232, 246
Read, William, an act for the benefit of, and others	200, 305, 310, 346

- Regiment, 45th—see proceedings of
 115th—see proceedings of.
Register of the Land Office, a bill requiring the, to record all deeds executed by him for lands sold for taxes 111
Releases executed by Contractors, an act prescribing the mode of procuring copies of 122, 198, 348, 356, 362
Religion, committee on appointed 45
 report of committee on 161
Religious worship, a bill further to protect 150, 203
Relinquishment of dower before Justices of the Peace, a bill to amend the law in relation to 89
Rents for water power on Green and Barren rivers, a bill to facilitate the collection of 74
Resolutions, calling on Board of Internal Improvement to report 71
 calling on Secretary of State for information 62
 directing Librarian to buy a copy of Loughborough's Digest for each standing committee 67
 directing Librarian to buy Beatty's Essays on Agriculture 147,
 281
 directing the Public Printer to have 3,000 copies of the Common School law printed 344
 directing the Public Printer to have 5,000 copies of the synopsis of the acts printed 344
in relation to pay of Assistant Clerk and Doorkeeper 9, 12, 13
instructing committee on Banks 64, 71
instructing committee for Courts of Justice 39, 49, 59, 95, 152
instructing committee on Education 88
instructing committee on Internal Improvement 109
instructing committee on Religion 39
limiting speeches to 10 minutes 299, 300
referring subjects in Governor's message to committees 43
requesting information from the Governor 59
to elect Assistant Clerk 9, 12, 13
to meet at 9 o'clock 63
to open the House with prayer 30
to take recess for dinner 148, 275
Resolutions, joint, fixing a day for the adjournment of the General Assembly 49, 56, 65
 fixing a day to elect Public Officers 104, 159, 161, 164
 in relation to dividends on Bank stock 245, 342, 350, 363
 in relation to Marine Hospital 59, 74, 94, 160, 200
 in relation to reduction of postage 38, 85, 94, 108, 118
 in relation to 6th census 344, 354, 356, 360, 362
 providing for a final settlement of the affairs of the Old Bank of Kentucky 268, 312, 360
 requiring late Keeper of the Penitentiary to deposit his books with 2d Auditor 244
 rescinding resolution to adjourn and fixing another day for the adjournment 232, 245
 to appoint a committee to examine Transylvania University and the Lunatic Asylum 32, 42, 94

- Resolutions, joint, to appoint joint committee on Education to revise
the Common School laws 42, 51, 57, 94
to excuse committee on Banks from visiting the Banks
in person 49, 55
- Resources of the Sinking Fund, an act to increase the, and to burn cer-
tain State bonds 285, 333, 344
- Resources of the Sinking Fund, a bill to repeal the 11th section of act
of 1844 to increase the 35, 41
- Revenue Laws, a bill to repeal an act to amend the 35, 40, 49, 55
a bill to amend the 111, 112, 126, 154, 172, 180, 199, 226,
235, 240, 281, 345, 352, 356, 359
- Reynolds, John, petition of 36
a bill for the benefit of 55, 76, 127, 228, 278, 280, 295
- Rice, William Henry, an act to change the name of, to W. H. Miller 236,
312, 336, 360
- Richardson, Catlett G., a bill for the benefit of, and E. A. Hathaway 40
- Richardson, Wm. H., petition of 48
a bill for the benefit of 102, 143, 167
- Richmond Female Institute, a bill to incorporate 34, 41, 114, 132, 166, 182
- Rights of Females, a bill further to protect the 34, 55, 80
- Risten, Reuben, petition of 253
- Roach, James G., petition of 160
- Road Company, Turnpike, Campbell, a bill to incorporate the 137, 161, 195,
201
Covington and Lexington, petition of the 136
Covington and Lexington, an act to amend
the charter of the 84, 200, 291, 292, 305, 311,
346
- Glasgow and Scottsville, a bill supplemental
to the act to amend the charter of the 278,
353, 357
- Greenup county, a bill to incorporate the 39, 311,
332, 345, 352, 358
- Lagrange and Westport, a bill to incorporate 50
- Lancaster and Crab Orchard, a bill to renew
the charter of the 35, 49, 55, 71, 104
- Lexington and Winchester, an act to amend
the charter of the 268, 342, 349, 361
- Louisville and Elizabethtown, an act to
amend the charter of the 53, 170, 200, 291,
292, 305, 311
- Maysville and Lexington, memorial of the 200
- Oakland, a bill to amend the act incorpora-
ting the 175, 186, 193
- Owingsville and Big Sandy, a bill to repeal
the act regulating the 60
- Owingsville and Big Sandy, a bill to amend
the charter of the 74, 138, 179, 345, 351, 359
- Road Law, a bill to amend the 34, 77
in Campbell county, a bill to amend the 73, 138, 178, 268, 286,
295

- Road Law, in Greenup, a bill to amend the 39, 62, 127, 165, 183
 in Mason, a bill to amend the 40
 in Pendleton, a bill to amend the 154, 176, 197, 231, 237
 Roads, Public, a bill in relation to keeping, in repair 353, 354, 357, 360
 Roads, State, a bill to amend the law in relation to keeping in repair 137
 a bill to place the, from Princeton to Centreville under the
 control of the County Court of Caldwell county 236, 312,
 332, 353, 354, 356, 362
 a bill to establish, from Canton to Mills' Point 270, 345, 352,
 357, 360
 an act to establish from Colemansville, to Foster's ferry
 on the Ohio river 286, 342, 349, 361
 in Pendleton county, a bill to change the mode of working 40
 in Scott, a bill to change 53
 Roads, Turnpike, a bill regulating the duties of the managers of 137
 an act directing the tolls on, to conform to the federal
 coin 286, 343, 349, 361
 Lancaster and Crab Orchard, a bill to renew the cha-
 ter of the 35, 49, 55, 71, 104
 Lexington and Covington, a bill for the further im-
 provement of the 84
 Louisville and Elizabethtown, a bill making an ap-
 propriation for the completion of the 53, 70
 Road, Wilderness and Madison Fork, a bill to amend the act regulating
 the 50, 55, 60, 67, 72, 121, 150, 167, 172, 175,
 179, 183, 186, 193, 268, 286, 295
 Robards, William A., an act for the benefit of, and others 176, 219, 232, 246
 Roberts, Eliza Jane, petition of 47, 109
 a bill to divorce, and Oscar Roberts 167, 182, 185, 193
 Robertson, Geo. A., nominated for Librarian 162
 votes for 162
 elected 163
 Robertson, S. B., petition of 268
 Robinson, Beverly, a bill for the benefit of 34, 196, 347, 356, 359
 Robinson, Samuel A., petition of 176
 Rockcastle County Courts—see Courts, County.
 Rockcastle county, petition of citizens of 236
 Rodes, Paulina G., petition of 144
 a bill to amend the act for the benefit of 196, 294, 336,
 358
 Rogers, Jno., petition of, and others 115
 Rogers, Joseph, petition of 105
 Rogers, Thomas, an act for the benefit of the administrator and heirs of 164,
 198, 349, 354, 357, 362
 Ross, John, petition of 196, 236
 Rowena, a bill to establish the town of 281, 345, 351, 359
 Rules, of last session referred to committee to amend for this session 31
 adopted with amendments 32
 Runaway slaves, an act to amend the act reducing into one the several
 acts in relation to apprehending, &c. 78, 82, 94, 104
 Russell's Creek, an act declaring, a navigable stream 278, 342, 349, 362

- Russellville, a bill to allow the young men of, to carry on a Thespian Society without license 60, 87, 127, 166, 183
Russellville, a bill authorizing the Trustees of, to grant license to persons to retail spirits 53, 76
petition of Trustees of the town of 58
- Salaries of Officers, a bill to reduce the 60, 139, 188
Salt, a bill to amend the law establishing the inspection of 74
Salt, a bill to amend the laws in relation to the inspection of 278, 281, 295
Salt, a bill to prevent the fraudulent sale of 34, 79, 97, 102
Salter, Gabriel J., leave of absence granted to 321
Salute, National, resolution to fire 63, 70
Salyers, William, a bill for the benefit of 111
Sames, Joseph, petition of 115, 238
Sanders, Philemon, a bill to divorce 353
petition of 185
Sayer, David A., a bill for the benefit of 111
School Districts, an act for the benefit of certain, in Fayette, Adair and Wayne 176, 220, 245, 253, 278
School Fund, a bill for the benefit of the 60, 88, 105, 303
Schools, Common, a bill to amend the act to amend the law establishing 39
a bill for the benefit of the 254
Schools, Common, a bill to reduce into one the several acts concerning, and more effectually to establish the same 292, 295, 306, 336, 360
- Scott County Court—see Courts, County.
Scott county—see Roads.
Scott, Wm. H., petition of 177
Seals, a bill to repeal the law dispensing with, to certain instruments of writing 53, 72, 184
Second Auditor, annual report of the 32
—see Legislative Documents.
Secretary of State, communication of 48, 64, 66
—see Legislative Documents.
Securities, a bill for the benefit of 53, 95
Seminary, Bardstown Female, an act to incorporate the 176, 219, 232, 246
Cloverport, an act to incorporate the 115, 198, 232, 245
Seminary, Funk, a bill to amend the charter of the 272, 279, 287, 232, 251, 359
Newport, an act to amend the several acts concerning the 128, 198, 272, 294, 311, 346
Port Royal, a bill for the benefit of 239, 332, 351, 359
Settlement of Estates—see Estates.
Sexton, Thomas, a bill for the benefit of 94, 182
Shanklin, Jno. P., and others, petition of 115, 225
Sharon Presbyterian Church—see Church.
Sharp, Linchfield, a bill for the benefit of 84, 110, 200, 219, 231, 237
Sharp, William T., nominated for doorkeeper 6
votes for 7, 8, 9
Shaw, Nathaniel S., elected commissioner of the Lunatic Asylum 163
Shelby & Jefferson counties, an act to run the line between 294, 343, 350, 361

- Shelby county, petition of citizens of 65, 115
 Shelbyville Fire Company, petition of officers 176
 a bill further to regulate the 216, 345, 351, 359
 Sheriffs, a bill defining more particularly the duties of, and Constables 84
 a bill further to regulate conveyances of land by 61
 of Bourbon, a bill for the benefit of 248, 345, 351, 359
 of Calloway, a bill for the benefit of 73, 91, 170, 278, 289, 310, 331
 of Cumberland, a bill for the benefit of the late 137
 of Daviess, a bill for the benefit of the late 228, 248, 345, 351, 359
 of Grant, an act for the benefit of the 85, 96, 108, 122
 of Graves, a bill for the benefit of the 39, 72, 127, 165, 184
 of Green, a bill for the benefit of the 89, 130, 159, 165, 183
 of Hancock, a bill for the benefit of 149
 of Hickman, a bill for the benefit of 138
 of Larue, a bill for the benefit of 112, 170, 278, 289, 310, 331
 of Laurel, a bill for the benefit of 248, 345, 351, 359
 of Lewis, a bill for the benefit of 248, 332, 336, 358
 of Marshall, a bill for the benefit of 73, 91, 170, 278, 289, 310, 331
 of McCracken, a bill for the benefit of 41, 87
 of Meade, a bill for the benefit of 150, 216, 345, 352, 356, 360
 of Nicholas, a bill for the benefit of 154, 278, 289, 310, 331
 of Owen, a bill for the relief of the 35, 40, 76, 248, 345, 351, 359
 of Perry, a bill for the benefit of 35, 72, 127, 165, 184
 of Trimble, a bill for the benefit of 40, 76
 of Union, a bill for the benefit of 151, 170, 278, 289, 310, 331
 Shields, Roland, petition of, and others 123
 Sinking Fund, an act authorizing settlements to be made with the
 Board of Commissioners of the, and the President 58
 of the Commonwealth's Bank 286, 334, 350, 361
 an act prescribing the duties of the Board of Commis-
 sioners of the, &c. 286, 335, 347, 350, 361
 an act to increase the resources of the, and to provide
 for the burning certain State bonds and coupons 285, 333,
 344, 350, 361
 a bill to repeal the 11th section of act of 1844, to in-
 crease the resources of the 35, 41
 committee on appointed 47
 report of committee on 248
 annual report of the Commissioners of the 108
 —see Legislative Documents.
 Simpson Circuit Court—see Courts, Circuit.
 Simpson, Preston, petition of 58, 76
 Singleton, Margaret J., an act for the benefit of 176, 199, 232, 245
 Skaggs, Stephen and Sarah, petition of 115
 a bill for the benefit of 247, 345, 351, 359
 Slaves, a bill to prevent the abduction of 33
 a bill to prevent the emancipation of, &c. 39, 88
 a bill to modify and change the law of 1833, prohibiting the im-
 portation of 50, 112
 a bill to prevent free persons of color from owning or inheriting 50, 112
 a bill to amend an act, entitled, an act to amend the law con-
 cerning 89, 110, 124, 227, 265, 286, 295

- Slaves, a bill to amend the penal laws in relation to 89
 a bill to repeal the law of 1833, prohibiting the importation of 114
- Slaves, Runaway, an act to amend the act reducing into one the several acts in relation to apprehending, &c. 78, 82, 94, 104
- Slusher, William and James Lewis, petition of 32, 78
- Smallwood, Lois, petition of 47
 a bill for the benefit of 83, 143, 165, 183
- Smith, Amos A., and Kissy Louisa, petition of 201, 247
- Smith, Asa, petition of 37, 169
- Smith, Burnley D., a bill for the benefit of 34, 95, 356, 359
- Smith, William L., a bill for the benefit of, and Wm. Hart 77, 175
- Smither, William, petition of 177
- Smithland, a bill to amend an act to incorporate the town of 150, 216, 278,
 286, 295
- Snead, Sarah E., an act for the benefit of 278, 342, 349, 361
- Snow, Henry D., petition of 78
- Snyder, Samuel C., an act granting a change of venue to 85, 96, 108, 122
- Society, Greensburg Philalethic, a bill to incorporate the 137, 272
 Kentucky Horticultural, a bill to incorporate the 150
 Louisville St. Cecelia, a bill to incorporate the 97, 216, 332
- Spencer Circuit Court—see Courts, Circuit.
- Spencer county—see Election Precincts.
- Spirituous liquors, a bill to prohibit merchants from selling less than one gallon of 60, 77
- Spratts, James B., an act to amend the act granting a change of venue
 to 278, 303, 310, 346
- Square, Capital, an act for the improvement of the 294, 343, 349, 361
- Squires, James, petition of 200
 a bill for the benefit of 248, 332, 351, 359
- Stamping Ground, an act to revive and continue in force the act establishing the town of 286, 343, 349, 362
- Stanford, an act to extend the limits of the town of 332, 343
- Stapps, Sarah R., petition of 37, 76
- Stapp, Sinclair, petition of 185, 247
 a bill to divorce 247, 294, 310, 331
- Stark, L. B., a bill for the benefit of 39, 88, 143, 165, 183
- State Bank, a bill to establish 153
- State Roads—see Roads.
- State Warehouse at Paducah, a bill concerning 73
- Station Camp Creek, a bill to declare, a navigable stream 272, 262, 353, 356,
 359
- Statute Laws, a bill for the revision, codification and publication of the 216
- Saint Cecelia Society, a bill to incorporate the, of Louisville 97, 216, 332
- Stealey, M. R., petition of 160
 a bill for the benefit of 281
- Stephenson, Arthur, petition of 222
- Steritt, Robert, petition of 185
- Stevenson, T. B., admitted to a seat within the bar of the House 27
- Stinking Creek, a bill to repeal the law declaring, to be a navigable stream 89, 272
 194
- Stockton, Robert, petition of

Stripes, a bill to repeal the law inflicting, on a white man for certain offences	150
Superintendent of Public Instruction, annual report of the	75
—see Legislative Documents.	
supplemental report of the	274
Surveyor of Barren county, a bill regulating the books of the	39, 110
Surveyor of Trigg county, an act for the benefit of the	236, 321, 350, 361
Surveyors, a bill regulating the duties of the	35, 216
Surveyors of Roads in Montgomery county, a bill to define the duties of the	111
Surveys—see Land Warrants.	
Sutton, Ishmael C., petition of	36
a bill for the relief of	72, 90, 107, 118
Sweets, Mary, a bill for the benefit of, and others	40
Tanner, William, permitted to take a seat within the bar of the House	27
Tate, Joseph W., petition of	78
Tatum, Austin D., a bill for the benefit of	53
Tavern license, a bill regulating the granting of	151
Taxable Property, a bill to amend the law in relation to the payment of assessors of	89
Taylor, Hubbard M. H., petition of	200
Taylor, John Y., an act for the benefit of the heirs of, and others	227, 304, 348, 355, 362
Taylor, Vincent and R. C., a bill for the benefit of	137
Taylorsville, an act to authorize the Trustees of, to close a part of water street, &c.	57, 64, 91, 108, 122
Tennessee and Kentucky, and act to run and re-mark the line between the States of	184, 219, 232, 246
Terrill, Roderic, an act for the benefit of, and others	200, 305, 310, 346
Theobald, Thos. S., communication of	67, 68, 246
Theological Institute, an act to amend the act incorporating the Western Baptist	176, 219, 232, 245
Thompson, Geo. O., a bill for the benefit of	87, 135, 166, 184
Thompson, John Q., a bill for the benefit of the heirs and administrator of	72, 327, 165, 183
Thruston, Charles M., excused from serving on committee on the Sinking Fund	48
appointed Chairman of the committee of Courts of Justice	51
Tilford, John, an act authorizing a settlement with	143, 198, 352, 355, 362
Tinsley, James, petition of	279
Tobacco interest, a bill concerning the, touching a State Warehouse at Paducah	73
Todd County Court—see Courts, County.	
Todd county, petition of citizens of	143, 160
Tolls on Kentucky, Green and Barren rivers, a bill to regulate the on Kentucky river, a bill to regulate the	35
a bill exempting flat boats from paying, &c.	252, 281
Tolls on Turnpike roads, an act directing, to conform to the standard of federal coin	52, 62, 79, 153
	286, 343, 349, 361

- Towns—see them under their respective names.
- Transylvania University and Lunatic Asylum, resolution to appoint a
 committee to examine 33, 54, 67, 85
 committee to examine, appointed 89
 report of committee to examine 305
 —see Legislative Documents.
- Treasurer, annual report of the 38
 —see Legislative Documents.
- Treasurer, elected 162
- Trigg county, an act for the benefit of the Surveyor of 236
- Trimble county, petition of citizens of 143, 186
- Trimble county—see Sheriffs and Justices.
- Tudor, Mary, petition of 75
- Tudor, Morris, a bill for the benefit of the widow and heirs of 87, 226, 253,
 269
- Turbeville, David C., petition of 177
- Turner, John, petition of 123, 169
- Turnpike Road Company, Campbell, a bill to incorporate the 137, 161, 195,
 201
 Covington and Lexington, petition of the 136
 Covington and Lexington, an act to amend
 the charter of 200, 291, 292, 305, 311, 346
 Glasgow and Scottsville, a bill supplemental
 to the act to amend the charter of the 278,
 353, 357
 Greenup county, a bill to incorporate the 39, 311,
 332, 345, 352, 358
 Lagrange and Westport, a bill to incorporate
 the 50
 Lancaster and Crab Orchard, a bill to renew
 the charter of the 35, 49, 55, 71, 104
 Lexington and Winchester, an act to amend
 the charter of the 268, 342, 349, 361
 Louisville and Elizabethtown, an act to amend
 the charter of the 53, 170, 200, 291, 292, 305,
 346
 Maysville and Lexington, memorial of the 200
 Oakland, a bill to amend the act incorpo-
 rating the 175, 186, 193
 Owingsville and Big Sandy, a bill to repeal
 act regulating 60
 Owingsville and Big Sandy, a bill to amend
 the charter of the 74, 138, 179, 345, 351, 359
- Turnpike Roads—see Roads, Turnpike.
- Unappropriated Lands—see Lands.
- University, Transylvania, and Lunatic Asylum, resolution to appoint a
 committee to examine 33, 54, 67, 85
 committee to examine appointed 89
 report of committee to examine 305

- Union White Sulphur Springs Company, an act to revive the act incorporating the 227, 304, 332, 344, 349, 361
 an act to repeal the 10th section of an act to revive
 the act incorporating the 353, 356, 357, 362
 Union county, petition of citizens of 36, 122, 186
 remonstrance of citizens of 136
 —see Sheriffs.
 Unlawful Gaming—see Gaming.
- Vacant Lands—see Lands, Vacant.
 Vansant, Lavenia, petition of, and others 194
 Vansycles, Eli, petition of 33
 Vaughan, Samuel J., petition of 177
 Vaught, S. & S. F., petition of 37
 Venable, James, a bill for the benefit of 87, 127, 165, 183
 Venue, a bill to amend the law in relation to changes of 150
 Versailles, petition of citizens of 128
 a bill concerning the town of 151, 179, 226, 253, 269
 Vickers, Jno., petition of 48
 a bill for the benefit of 72, 97, 108, 118
- Wagoner, Jno. C., petition of, and C. C. Gordon 32
 a bill for the benefit of, and Geo. Munday 83, 97, 107,
 118
 Warehouse, a bill concerning a State, at Paducah 73
 Ware, Lewis H., petition of 237, 247
 Warfield, Elisha, petition of 98, 124, 223
 Warren county, petition of citizens of 85
 Washington and Marion counties, an act to change the line between 195,
 268, 291, 311, 346
 Washington Circuit Court—see Courts, Circuit.
 Washington county, a bill to establish a special chancery term in 84
 Watson, J. U., petition of 128, 223
 Water Power on Green and Barren rivers, a bill to facilitate the col-
 lection of rents for 74, 121, 332, 345, 351, 359
 Wayne county, an act for the benefit of certain school districts in 220, 245,
 253, 278
 Wayne county, petition of citizens of 58
 —see Justices.
 Ways and Means, committee on appointed 45
 Webb, Charles H., an act for the benefit of the estate of 236, 312, 344, 355,
 360
 Webb, James M., an act for the benefit of, and D. Goyer, 268
 Weight of Grain, a bill to regulate the 83, 101, 130, 305, 310
 Weir, James, petition of 165
 Wells, Abraham, an act for the benefit of 122, 198, 348, 357, 363
 Western Baptist Theological Institute, an act to amend the act incorpo-
 rating the 176, 219, 232, 245
 West Liberty, a bill for the benefit of 137
 Westport and Lagrange Turnpike Road Company, a bill to incorporate
 the 50

- Wharton, John R., an act for the benefit of, and the heirs of William Clements 286, 343, 350, 360
- Whitaker, Jno. W., a bill for the benefit of 179, 278, 286, 295
- Whitecotton, Martha Stewart, a bill to change the name of 54, 75, 94, 98
- White, Daniel P., an act for the benefit of, and the heirs of John Y. Taylor, &c. 227, 304, 348, 355, 362
- Whitesides, Nancy, an act for the benefit of the heirs of, and others 236, 312, 336
- White Sulphur Springs Company, Union, an act to revive the act incorporating the 227, 304, 332, 344, 349, 361
an act to repeal the 10th section of an act to
revive the act incorporating the 353, 356, 357,
362
- Whitley county—see Election Precincts and Justices.
—see Constables.
- Widows, a bill for the benefit of 50
- Widows of Larue county, a bill for the benefit of the 95, 102, 143
- Wild Cat scalps, a bill allowing compensation for 54
- Wilderness Road—see Road.
- Williams, James, petition of 115
a bill granting a change of venue to 196, 285, 289, 310,
331
- Williams, Pleasant H., an act for the benefit of, and others 227, 304, 348,
355, 362
- Williams, W., petition of 200
- Wills, James, and others, petition of 201
- Wilson, Constant A., an act for the benefit of 104, 132, 167, 195
- Wilson, John, nominated for assistant Clerk 27
votes for 28
- Wilson, Susan M., a bill for the benefit of 34, 71, 90, 96, 107, 118
149
- Wilson, Weedon, a bill for the benefit of 138, 234
- Witnesses attending at County Courts, a bill to amend the law in relation to the pay of 138, 234
- Woodford Guards Riflemen, a bill for the benefit of 112, 154, 278, 289, 310,
331
- Woods, Nancy F., a bill to divorce 151, 238
- Wooldridge, Catharine Sherwood Walton, an act to change the name
of 57, 64, 67, 85
- Wooldridge, John W., an act for the benefit of the heirs of 227, 303, 310, 347
- Wool growers, a bill to protect, &c. 60, 102
- Worship, Religious, a bill further to protect 150, 203
- Writings—see Instruments of Writing.
- Wyatt, Alfred M., petition of 227
- Young, John, Keziah E., and Sarah, petition of 144
- Yantis, Jesse, a bill for the benefit of, and others 247, 345, 351, 359
51
- Young, John, Keziah E., and Sarah, petition of 78, 105